



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 13]

नई दिल्ली, यानिकार, मार्च 29, 1986/चैत्र 8, 1908

No. 13] NEW DELHI, SATURDAY, MARCH 29, 1986/CHAITRA 8, 1908

इस भाग में भिन्न पृष्ठ संख्या वाली हो जाती है जिससे कि यह बला संकलन के रूप में
रखा जा सके।

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा आई किए गए सांघिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the
Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 17 मार्च, 1986

का. आ. 1245 :—केन्द्रीय सरकार, जात्याचार आयोग अधिकार 1952 (1952 का 50) को धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के गृह मंत्रालय की अधिसूचना सं. का.आ. 615 (अ), दिनांक 21 अगस्त, 1986 में निम्नलिखित संशोधन करता है, अर्थात् :—

उक्त अधिसूचना के विशेष 4 में “राजपत्र में इस अधिसूचना के प्रकाशन को तारेख से छः महीने” शब्दों के स्थान पर “31 जुलाई, 1986” शब्द प्रतिस्थापित किए जाएंगे।

[सं. एच--11012/187/85-एन.ई-4]

एस.एस. शर्मा, विशेष कार्य अधिकारी (असम)

MINISTRY OF HOME AFFAIRS

New Delhi, the 17th March, 1986

S.O. 1245.—In exercise of the powers conferred by Section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby makes the following amendment in the notification of the Government of

India in the Ministry of Home Affairs S.O. 615(E) dated the 21st August, 1985, namely :

In the said Notification in paragraph 4, for the words “six months from the date of publication of this Notification in the Official Gazette”, the words “31st July, 1986” shall be substituted.

[No. 11012/187/85-NE.IV.]
S. S. SHARMA, Officer on Special Duty (Assam)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(पेंशन और पेंशन कल्याण विभाग)

नई दिल्ली, 12 मार्च, 1986

का. आ. 1246 :—राष्ट्रपति, संविधान के अनुच्छेद 148 के खण्ड (5) के साथ पठित, अनुच्छेद 309 के परन्तु द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखा परेशात्ता तथा लेखा विभाग में सेवा कर रहे व्यक्तियों के संबंध में नियंत्रक महालोकापरीक्षक से परामर्श करने के पश्चात्, केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम केन्द्रीय सिविल सेवा (पेंशन) (संशोधन) नियम, 1986 है।

(2) ये राजपत्र में प्रकाशन की सारेख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 के नियम 68 में,

(क) उप-नियम (2) के स्थान पर, निम्नलिखित उप-नियम रखा जाएगा, अर्थात् :—

"(2) उपदान के विविध संदाय के प्रत्येक मामले पर, प्रशासनिक मंत्रालय या विभाग के अध्येतर स्थानीय कार्यालयों के कर्मचारियों या उससे संलग्न या उसके अधीनस्थ कार्यालयों के कर्मचारियों को बाबत प्रशासनिक मंत्रालय या विभाग का सचिव विचार करेगा और यदि मंत्रालय या विभाग के सचिव का यह समाधान हो जाता है कि उपदान के संदाय में विलंब प्रशासनिक चूक के कारण हुआ है वहां मंत्रालय या विभाग का सचिव ब्याज के संदाय को भंजूर करेगा।"

(ख) उप-नियम (3) के स्थान पर, निम्नलिखित उप-नियम रखा जाएगा, अर्थात् :—

"(3) सचिव द्वारा उप-नियम (2) के अधीन ब्याज का संदाय भंजूर कर दिए जाने के पश्चात् प्रशासनिक मंत्रालय या विभाग ब्याज के संदाय के लिए राष्ट्रपति की स्वीकृति जारी करेगा।"

(ग) उप-नियम (4) के स्थान पर, निम्नलिखित उप-नियम रखा जाएगा, अर्थात् :—

"(4) ऐसे सभी मामलों में जिनमें ब्याज के संदाय को भंजूर प्रशासनिक मंत्रालय या विभाग के सचिव द्वारा दो गई है, ऐसा मंत्रालय या विभाग उस सरकारी सेवक या उन सेवकों का उत्तरदायित्व नियस करेगा और उनके विरुद्ध अनुग्रासनिक कार्रवाई करेगा जो उपदान के संदाय में विलंब के लिए उत्तरदाया पाए जाते हैं।"

[सं. 7 (13)/85-P-० और पो.डब्ल्यू.]

हजारा सिंह, उप सचिव

पाद-टिप्पण :— केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 का.प्रा. 934, तारेख 1-4-1972 के रूप में प्रकाशित किए गए थे। नियमों का तृतीय संस्करण (दिसम्बर, 1981 तक संशोधित) 1982 में मुंग्रित हुआ था। तत्पश्चात् नियमों का संशोधन कार्यिक और प्रशासनिक सुधार के निम्नलिखित अधिसूचनाओं द्वारा किया गया :—

क्र.	अधिसूचना	तारेख
सं.		
1.	32/4/83-पेंशन एकक	26-8-1983
2.	29/4/83-पेंशन एकक	15-11-1984

1	2	3
3.	7/3/84-पेंशन एकक	17-11-1984
4.	38/15/85-पेंशन एकक	1-7-1985
5.	7/4/85-पेंशन एकक	29-10-1985
6.	1/2/85-पेंशन एकक	14-11-1985
7.	7(12)/85-P-०, और पो.डब्ल्यू.	11-2-1986

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Pension and Pensioners' Welfare)

New Delhi, the 12th March, 1986

S.O. 1246.—In exercise of the powers conferred by the proviso to article 309 read with clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:—

- (1) These Rules may be called the Central Civil Services (Pension) (Amendment) Rules, 1986.
- (2) They shall come into force from the date of publication in the Official Gazette

2. In the Central Civil Services (Pension) Rules, 1972, in rule 68—

- for sub-rule (2), the following sub-rule shall be substituted, namely:—

"(2) Every case of delayed payment of gratuity shall be considered by the Secretary of the Administrative Ministry or the Department in respect of its employees and the employees of its attached and subordinate offices and where the Secretary of the Ministry or the Department is satisfied that the delay in the payment of gratuity was caused on account of administrative lapse, the Secretary of the Ministry or the Department shall sanction payment of interest."

- for sub-rule (3) the following sub-rule shall be substituted, namely:—

"(3) The Administrative Ministry or the Department shall issue Presidential sanction for the payment of interest after the Secretary has sanctioned the payment of interest under sub-rule (2)."

- for sub-rule (4) the following sub-rule shall be substituted, namely:—

"(4) In all cases where the payment of interest has been sanctioned by the Secretary of the Administrative Ministry or the Department, such Ministry or the Department shall fix the responsibility and take disciplinary action against the Government servant or servants who are found responsible for the delay in the payment of gratuity."

[No. 7(13)/85-P&PW]

HAZARA SINGH, Dy. Secy.

Foot Note:—The Central Civil Services (Pension) Rules 1972 were published as S.O. 934, dated 1-4-72. The Third Edition (corrected upto December, 1981) of the rules was printed in 1982. The rules were subsequently amended vide DP&AR Notifications given below :—

Sl. No.	Notification No.	Date
1.	32/4/83-Pension Unit	26-8-1983.
2.	29/4/83-Pension Unit	15-11-1984.
3.	7/3/84-Pension Unit	17-11-1984.
4.	38/15/85-Pension Unit	1-7-1985.
5.	7/4/85-Pension Unit	29-10-1985.
6.	1/2/85-Pension Unit	14-11-1985.
7.	7(12)/85-P.&P.W.	11-2-1986.

वित्त मंत्रालय
(राजस्व विभाग)
नई दिल्ली, 10 दिसम्बर, 1985
आयकर

का.आ. 1247:—आयकर अधिनियम, 1961 (1961 का 43) को धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में तथा भारत सरकार के राजस्व विभाग को दिनांक 18-9-85 को अधिसूचना/सं. 6424/फा० सं. 398/27/85-आ.क. (व.)] का अधिलंबन करते हुए, केन्द्रीय सरकार, एतद्वारा श्री बी.एल. लरोइया को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत 7-10-85 से कर वसूल अधिकारी के शक्तियों का प्रयोग करने के लिए कार्योत्तर प्राधिकृत करते हैं।

[सं. 6525/फा.सं. 398/27/85-आ.क. (व.)]

MINISTRY OF FINANCE
(Department of Revenue)
New Delhi, the 10th December, 1985

INCOME TAX

S.O. 1247.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Govt. of India in the Department of Revenue No. 6424 (F. No. 398/27/85-IT(B) dated the 18-9-85, ex-post-facto authorisation of the Central Government hereby conveyed to Shri B. L. Laroiya, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act from 7-10-85.

[No. 6525/F. No. 398/27/85-IT(B)]

नई दिल्ली, 16 जनवरी, 1986

आयकर

का.आ. 1248:—आयकर अधिनियम, 1961 (1961 का 43) को धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में तथा भारत सरकार के राजस्व विभाग को दिनांक 12-10-1981 की अधिसूचना सं. 4254/फा.सं. 398/43/83-आ.क. (व.) का अधिलंबन करते हुए, केन्द्रीय सरकार, एतद्वारा श्री रघुवें शरण गुप्त को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूल अधिकारी के शक्तियों का प्रयोग करने हेतु प्राधिकृत करती है।

2. यह अधिसूचना श्री रघुवें शरण गुप्त द्वारा कर वसूल अधिकारी के रूप में कार्यभार प्रहण किये जाने के साथ से लगू होगी।

[सं. 6573/फा.सं. 398/28/85;—आ.क. (व.)]

श्री.ई. अलीज़ेहर, अवर सचिव

New Delhi, the 16th January, 1986

INCOME-TAX

S.O. 1248.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification of the Government of India in the Department of Revenue No. 4254 (F. No.

398/43/81-IT(B), dated the 12-10-81, the Central Government hereby authorises Shri Raghuveer Saran Gupta, being a Gazetted Officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri Raghuveer Saran Gupta takes over charge as Tax Recovery Officer,

[No. 6573/F. No. 398/28/85-IT(B)]

B. E. ALEXANDER, Under Secy.

(व्यव विभाग)

नई दिल्ली, 11 मार्च, 1986

का.आ. 1249:—सरकारी भवन (अनधिकृत दबालदार के बेदबल) अधिनियम, 1971 (1971 का 40) को धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित सारणी के कालम 1 में उलिखित अधिकारी को सरकार का राजपत्रित अधिकारी होने के कारण उक्त अधिनियम के प्रयोगों के लिए सम्पदा अधिकारी नियुक्त करते हैं, जो उक्त सारणी के कालम 2 में तदनुसूपे प्रविष्ट में विनियोजित सरकारी भवनों के संबंध में अपने थेक्साइटर के स्थानीय समाजों के अन्दर, उक्त अधिनियम द्वारा या उसके अन्तर्गत सम्पदा अधिकारियों को, प्रदत्त शक्तियों का प्रयोग और उन्हें अधिवोषित कर्तव्यों का निष्पादन करेगा।

सारणी:

अधिकारी का पद नाम	क्षेत्राधिकार का स्थानीय सारणी
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(1)

(2)

नयुक्त निवेशक, लेखा पर क्षा, संयुक्त निवेशक, लेखा-पर क्षा, रक्ता सेवाएं, दक्षिण: रक्ता सेवाएं, दक्षिण कमांड, कमांड, पुर्ण	पुण के प्रशासनिक नियन्त्रणाधीन सरकारी भवन।
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[एक. सं. से/11021/1/86-ई.जो. I]

आर.एल. चौधरी, अवर सचिव

(Department of Expenditure)

New Delhi, the 11th March, 1986

S.O. 1249—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being a gazetted officer of Government, to be Estate Officer for the purpose of the said Act who shall exercise the powers conferred, and perform the duties imposed on Estate Officers by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of Officer	Local Limits of jurisdiction
(1)	(2)
Joint Director of Audit Defence Services, Southern Command, Pune	Public premises under the administrative control of the Joint Director of Audit Defence Services, Southern Command, Pune.

[F. No. C-11021 /1/86-EG. I]

R. L. CHAUDHRY, Under Secy

नई दिल्ली, 3 मार्च, 1986

का.आ. 1250—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 को उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री महेश शुक्ल को मण्ड ग्रामीण बैंक, गया (बिहार) का अध्यक्ष नियुक्त करते हैं। तथा 1-1-1986 से प्रारंभ होकर 31-12-1988 को समाप्त होने वाली अवधि को उस अध्यक्ष के रूप में निर्दिष्ट करते हैं जिसके दौरान श्री महेश शुक्ल अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-32/82-प्रार.प्रार.बै.]

New Delhi, the 3rd March, 1986

S.O. 1250.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri Mahesh Shukla, Chairman, Magadh Gramin Bank, Gaya (Bihar) and specifies the period commencing on the 1-1-1986 and ending with 31-12-1988 as the period for which the said Shri Mahesh Shukla shall hold office as such Chairman.

[No. F. 2-32/82-RRB]

नई दिल्ली, 4 मार्च, 1986

का.आ. 1251—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एम.पी. सिंह शेखावत को जयपुर, नागौर आंचलिक ग्रामीण बैंक, जयपुर का अध्यक्ष नियुक्त करती है तथा 18-1-1986 से प्रारंभ होकर 31-1-1989 को समाप्त होने वाली अवधि को उस अध्यक्ष के रूप में निर्धारित करती है जिसके दौरान श्री एम.पी. सिंह शेखावत अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 8-4/80-प्रार.प्रार.बै.]

च. वा. मीरचन्द्रानी, निदेशक

New Delhi, the 4th March, 1986

S.O. 1251.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri M. P. Singh Sekhawat as the Chairman of Jaipur Nagaur Aanchalk Gramin Bank, Jaipur and specifies the

period commencing on the 18-1-86 and ending with the 31-1-89 as the period for which the said Shri Sekhawat shall hold office as such Chairman.

[No. F. 8-4/80-RRB]

C. W. MIRCHANDANI, Director

नई दिल्ली, 7 मार्च, 1986

का.आ. 1252 प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री जे.पी. मिश्रा को माण्डला बालाघाट अन्नीय ग्रामीण बैंक, माण्डला (मध्य प्रदेश) का अध्यक्ष नियुक्त करते हैं तथा 5-2-1986 से प्रारंभ होकर 28-2-1989 को समाप्त होने वाली अवधि को उस अध्यक्ष के रूप में निर्धारित करते हैं जिसके दौरान श्री जे.पी. मिश्रा अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-30/85-प्रार.प्रार.बै.]

जे.एस. तिवाना, अवर सचिव

New Delhi, the 7th March, 1986

S.O. 1252.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri J. P. Mishra as the Chairman of the Mandla-Balaghat Kshetriya Gramin Bank, Mandla (MP) and specifies the period commencing on the 5-2-86 and ending with the 28-2-89 as the period for which the said J. P. Mishra shall hold office as such Chairman.

[No. F. 2-30/85-RRB]

J. S. TIWANA, Under Secy.

का.आ. 1253—उच्च मूल्य बैंक नोट (विमुक्तीकरण) अधिनियम, 1978 (1978 का 11) की धारा 7 की उपधारा (7) के अनुसार में, केन्द्रीय सरकार एतद्वारा वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली के संयुक्त सचिव श्री मन्त्रेश्वर शा को श्री अणोक चन्द्र के स्थान पर उक्त धारा के अधीन उस प्राधिकारी के रूप में प्राधिकृत करते हैं, जो किसी मामले या मामलों के बांग के लिए उस अवधि को बढ़ा सकता है, जिनके दौरान उच्च मूल्य के नोट विनियम के लिए प्रस्तुत किये जा सकते हैं।

[सं. एफ. 5/2/86-बी.ओ.-I]

एस. एस. हसूरकर, निवेशक

S.O. 1253.—In pursuance of sub-section (7) of section of the High Denomination Bank Notes (Demonetisation) Act, 1978 (11 of 1978), the Central Government hereby authorises Shri Mantreshwar Isha, Joint Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi, as the authority to extend in any case or class of cases, the period during which high denomination bank notes may be tendered for exchange under the said section vice Shri Ashok Chandra.

[No. F. 5/2/86-BO.I]

S. S. HASURKAR, Director

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 11 मार्च, 1986

का. आ. 1254—निक्षेप बंमा और प्रत्येक गारंटी निगम अधिनियम, 1961 (1961 का 47) को धारा 6 के उपधारा (1) के खंड (ब) के उपबंधों के अनुसरण में केन्द्रीय संस्कार, भारतीय रिजर्व बैंक के साथ परामर्श करने के पश्चात एतदवारा श्री शार. वी. माधव राय, प्रबन्ध निदेशक, भारतीय साधारण बंमा निगम को 24 नवम्बर, 1985 से प्रारम्भ होने वालों और 13 मई, 1986 को समाप्त होने वालों और अवधि के लिए निक्षेप बंमा और प्रत्येक गारंटी निगम के निदेशक के रूप में पुनः नामित करते हैं।

[मंद्या एफ. 6/4/85-बै.ओ.]

एम.एस. सीतारामन, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 11th March, 1986

S.O. 1254.—In pursuance of the provisions of clause (d) of sub-section (1) of section 6 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), the Central Government, after consultation with the Reserve Bank of India, hereby renominates Shri R. V. Madhava Rao, Managing Director, General Insurance Corporation of India as a Director of the Deposit Insurance and Credit Guarantee Corporation for a further period commencing on the 24th November, 1985 and ending with the 13th May, 1986.

[No. F. 6/4/85-BO.I]

M. S. SEETHARAMAN, Under Secy.

समाहरालिय केन्द्रीय उत्पाद शुल्क

अधिसूचना संख्या सं.इआर/आर-5/1/86

नागपुर, 7 मार्च, 1986

केन्द्रीय उत्पाद शुल्क

का. आ. 1225—अधिसूचना संख्या सं.ईआर/आर-5/1/84 दिनांक 7-1-84 नीचे लिखे अनुसार संशोधित की जाएगी।

(1) अनुबंध में क्रम संख्या 72 के पश्चात निम्नलिखित जोड़ा जाएगा :—

क्रम सं.	केन्द्रीय उत्पाद प्रत्यायोजित अधिकारी	सीमाएं शुल्क नियम शक्तियों की जिसे	प्रकृति	प्रत्यायोजित की गई
1	2	3	4	5
72क	173-ज	समाहर्ता की सहायक सभी समाहर्ता शक्तियाँ		

[फा. सं. IV-(16) 8-22/80 सीएस/भाग/19586]

कर्मीरा सिंह, समाहर्ता

CENTRAL EXCISE COLLECTORATE

[Notification No. CER/R/5/1/86]

Nagpur, the 7th March, 1986

CENTRAL EXCISE

S. O. 1255.—Notification No. CER/-5/1/84 dated 7-1-84 shall be amended as under :—

1. In the Annexure after Sr. No. 72 following shall be inserted.

Sr. No.	Central Excise Rules	Nature of power delegated	Office to whom delegated	Limitation
1	2	3	4	5
72 A	173-H	All powers of	Asstt. Collector.	Collector.

[C. No. IV(16)8-22/80/CX./Pl. 19586]
KASHMIRA SINGH, Collector

वाणिज्य मंत्रालय

(उप मुख्य नियंत्रक आयात नियंत्रित का कार्यालय)

हैदराबाद, 13 मार्च, 1986

लाइसेंस रद्द करने का अदेश

का. आ. 1256—लाइसेंस धारे द्वारा उपयोग में लाये जाने वाले या रखे गये पूँजीगत माल के प्रब्रालन तथा अनुसरण के लिए आवश्यक प्रतिबंधित अतिरिक्त पुरजों के साथ साथ सहायक उपकरण के पुरजों एवं नियंत्रित तथा प्रयोगशाला उपकरण और संरक्षा यंत्रों के आयात के लिए नैसर्जि सालिड स्टेट डिव.इसिस इंडिया निमिट्ट, पटनमठ, हैदराबाद को या. 2,46,000 सि.आर.एफ. मूल्य के एक आयात लाइसेंस संख्या :पं/ड/2249897/सि/-/96/डब्ल्यू/85 दिनांक 30-9-85 जारी किया गया था। अब पार्टी ने उपर्युक्त आयात लाइसेंस को से.माशुल्क प्रयोजन की तथा मुद्रा विनिमय प्रयोजन की दूसरी प्रति जारी करने के लिए इस कारण से आवेदन किया है कि से.माशुल्क तथा मुद्रा विनिमय प्रयोजन की मूल प्रतियाँ गुम हो गयी हैं। अब लाइसेंस को दूसरी प्रतियाँ जो जारी करनी हैं उनका मूल्य लाइसेंस के कुल मूल्य अर्थात् रु. 2,46,000/- (दो लाख छियाँलीस हजार रुपय मात्र) होगा।

ग्रापते दावे के सर्वर्थ में आवेदकर्ता ने सोहरयुक्त कागज पर अधिकृत लेख प्रमाणक द्वारा सत्यापित शपथ पत्र दायर किया है। आवेदन कर्ता ने यह भी आश्वासन दिया है कि लाइसेंस को से.माशुल्क तथा मुद्रा विनिमय प्रयोजनों की मूल प्रतियाँ मिल जाने पर या उनका पता लग जाने पर उन्हें लाइसेंस जारी करने वाले प्राधिकारी को लीटा दिया जायेगा।

मुझे संतुष्टि हुई है कि लाइसेंस संख्या पं/ड/2249897/सि./XX/96/डब्ल्यू/85 दिनांक 30-9-85 की से.माशुल्क तथा मुद्रा विनिमय प्रयोजन की मूल प्रतियाँ गुम हो गयी

है और आवेदन कर्ता को लाइसेंस की सेमानुल्क तथा मुद्रा विनियम प्रयोजन की दूसरी प्रतियाँ जारी की जायें। लाइसेंस संख्या: प/इ/2249897/सि/XX/96/डब्ल्यू/85 दिनांक 30-9-85 की सेमा शुल्क तथा मुद्रा विनियम प्रयोजन की मूल प्रतियाँ इसके द्वारा रहे किया जाते हैं।

[मिसिल संख्या आईटी-से/एयू/डिजिटेडी/१८/ए एम 86]

आर. सेलवराज,

उप मुख्य नियंत्रक, आयात-नियंत्रित

MINISTRY OF COMMERCE

(Office of the Dy. Chief Controller of Imports & Exports)

Hyderabad, the 13th March, 1986

LICENCE CANCELLATION ORDER

S.O. 1256.—M/s. Solid State Devices India Limited, Patancheru, Hyderabad were granted an import licence bearing No. P/D/2249897/C/XX/96/W/85 dated 30-9-85 for a C.I.F. Value of Rs. 2,46,000 for import of Restricted Spares required for operation & Maintenance of the Capital Goods installed or used by the licence holder including spares of ancillary equipment Control & Laboratory equipment & Safety appliances. The party has applied for grant of Duplicate Customs & Exchange Control Purpose copies of the aforesaid Import Licence on the ground that the original Customs & Exchange Control purpose copies have been lost. The total amount for which the duplicate copies of the licence is required for the full value of the licence (i.e.) Rs. 2,46,000 (Rupees two lakhs forty six thousand only).

In support of their contention, the applicant has filed an affidavit on stamped paper duly attested by a Public notary. The applicant has also undertaken to return the licensing authority concerned the original customs & Exchange control purpose copies of the licence, if the same are traced or found later on.

I am satisfied that the original Customs purpose and Exchange Control copy of licence No. P/D/2249897/C/XX/96/W/85 dated 30-9-85 have been lost and that duplicate Customs & Exchange Control purpose copy of licence should be issued to the applicant. The original Customs & Exchange Control copy of licence No. P/D/2249897/C/XX/96/W/85 dated 30-9-85 are hereby cancelled.

[File No. ITC/AU/DGTD/47/AM86/Hydr./43]

R. SELVARAJ, Dy. Chief Controller of Imports and Exports

(संयुक्त मुख्य नियंत्रक आयात-नियंत्रण का कार्यालय)

(केन्द्रीय लाइसेंस बोर्ड)

नई दिल्ली, 10 फरवरी, 1986

निरसन आदेश

का.आ. 1257—सर्वथोः इन्टर कॉर्पोरेशन, ए-1/46, सफदरजग एन्ड लेब, नई दिल्ली को एक अग्रिम लाइसेंस प/इ/0416469/से/एक्स एक्स/96/डे/85 दिनांक 11-9-85 की लागत बेमा भाड़ा मुख्य कुल राशि 8,50,000 रु. का 1000 किलोग्राम अन-मैन्यूफैक्चर्ड आइवरी (हाथी धात) के आयात हेतु प्रदान किया गया था।

आवेदक फर्म ने यह सूचित किया है कि उक्त लाइसेंस की एक्सचेंज कंट्रोल कार्पोरेशन के सहायक कलक्टर मुद्रा व रोड, नई दिल्ली के पास पंजे कुस कराने के बाब एवं आंशिक रूप से 6,02,952-90 पैसे तक की रकम भेजने के बाब बीमा उपयोग एवं विना भेजी गई रकम 247047 छोड़ने के बाब कहीं अस्थानस्थ हो गई है।

आवेदक फर्म से इस कथन के समर्थन में अब एक साथ-पत्र आयात नियंत्रित का कार्यालय पुस्तीका 1985-88 के पैरा 85-88 के अंतर्गत प्रस्तुत किया है।

मैं इन्टरेट हूँ कि उक्त आयात लाइसेंस की मूल एक्सचेंज कंट्रोल कार्पोरेशन की गई है। अस्थानस्थ हो गई है।

अब आयात-ध्यानार नियंत्रण आदेश 1955 दिनांक 7-12-55 (यथा संसाधित) को धारा 9 (डो) में प्रवत्त अधिकारों का प्रयोग करते हुए में उपरोक्त लाइसेंस सं. प/इ/0416469 दि. 11-9-85 की मूल एक्सचेंज कंट्रोल कार्पोरेशन का गिरस्त करने का आदेश देता हूँ।

आवेदक को प्रार्थना पर अब आयात-नियंत्रित की कार्यालय-पुस्तीका 1985-88 के पैरा 85 से 88 के अनुसार उक्त लाइसेंस सं. प/इ/0416469 दि. 11-9-85 की 2,47,047-10 पैसे को बिंगा भेजो हूँ रकम को एक्सचेंज कार्पोरेशन का प्रतुलिपि (डूल केट कार्पोरेशन) द्वारा करने पर विचार किया जायेगा।

[त. एडोवा/नाइट/यूडीशन/73/ए एम 86/एआईएस-1/से.एल ए/2030]

आ. आर. के. धर्वन,

उप मुख्य नियंत्रक, आयात-नियंत्रित
प्रते संयुक्त मुख्य नियंत्रक, आयात-नियंत्रित

(Office of the Joint Chief Controller of Imports & Exports)

(Central Licensing Area)

New Delhi, the 10th February, 1986

CANCELLATION ORDER

S.O. 1257—M/s. Intercraft Sales Corp A-I/46 Safderjung Enclave, New Delhi were granted advance licence No. P/K/0416469/C/XX/96/D/85 dated 11-9-85 for import of 1000 kgs. of Un-manufactured Ivory for CIF. value of Rs. 8,50,000.

The firm have reported that Exchange Control copy the said licence has been misplaced after having been registered with Asstt. Collector of Customs, CWC Gurgaon Road, New Delhi and remitted partly upto Rs. 6,02,952-90 leaving unremitted unutilised balance value of Rs. 247047.

The firm have filed an affidavit in support of the above statement as required under paras 85 to 88 of Hand Book If Import Export Procedures 1985-88 I am satisfied the original Exchange Control copy of the said advance licence has been misplaced.

In exercise of the powers conferred on me under section 9(5) of Import (Control) order, 1955 dated 7-12-1955 as amended upto-date, I hereby order cancellation of the said original Exchange Control copy of the advance licence.

The applicant's case will now be considered for issue of duplicate Exchange Control purpose copy of Import licence No. P/K/0416469/C/XX/96/D/85 dated 11-9-1988 for unremitted value of Rs. 2,47,047-10 in accordance with para 85 to 88 of Hand Book Import Export Procedure, 1985-88.

[No. Adv/Lic/UDES/73/AM.86/ALS.I/CLA/2030]
DR. R. K. DHAWAN, Dy Chief Controller of
Imports & Exports

वस्त्र मंत्रालय

नई दिल्ली, 18 मार्च, 1986

का.आ. 1258 आवश्यक वस्तु अधिनियम, 1955 (1955 का 10) को धारा 3 द्वारा प्रदत्त नियंत्रित का प्रयोग करते हुए, केन्द्रीय सरकार, सूते वस्त्र (नियंत्रण)

आदेश, 1948 में आगे संशोधन करने के लिए एतदद्वारा निम्नलिखित आदेश करता है, अर्थात् :—

- (1) इस आदेश को सूती बस्त्र (नियंत्रण) संशोधन आदेश, 1986 कहा जाएगा।
- (2) सूती बस्त्र (नियंत्रण आदेश 1948 के अन्तर्गत 12 के उपचण्ड 6 में, प्रथम परन्तुक में “200 रु. (केवल दो सौ रुपये)” शब्दों के स्थान पर 250 रु. (केवल दो सौ पचास रुपये)” शब्द रखें जायेंगे।

[फा. सं. 1(7)/86-सी.पी.]

टिप्पणी: भुख्य अधिसूचना सं. 80टे/ड एक्स 1/48 दिनांक 2 अगस्त, 1948 में बाद में संशोधन किया गया :

नमांक	अधिसूचना सां.आ. संख्या/जीएस आर सं.	तारीख
1.	1217	12-4-66
2.	1878	10-6-66
3.	1957	24-6-66
4.	2636	17-8-66
5.	2639	18-8-66
6.	445	31-1-67
7.	1604	25-6-68
8.	2643	2-7-68
9.	4138	11-11-68
10.	4326	22-11-68
11.	1738	11-7-69
12.	324	5-1-71
13.	सौ एल बी आई/1/67-71	1-4-71
14.	3807	15-9-71
15.	3641	20-10-72
16.	959	26-3-73
17.	3534	28-8-73
18.	978	10-4-74
19.	3147	6-11-74
20.	2074	19-6-75
21.	4403	23-9-75
22.	1096	3-3-76
23.	487	22-7-76
24.	103(इ)	20-2-79
25.	378(इ)	30-6-79
26.	2170	31-7-81
27.	2171	31-8-81

MINISTRY OF TEXTILES

New Delhi, the 18th March, 1986

S.O. 1258.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby makes the following Order

further to amend the Cotton Textiles (Control) Order, 1948, namely :—

1. This Order may be called the Cotton Textile (Control) Amendment Order, 1986.
2. In sub-clause (6) of clause 12 of the Cotton Textiles (Control) Order, 1948, in first proviso, for the expression “Rs. 200 (rupees two hundred only)”, the expression “Rs. 250 (rupees two hundred and fifty only)” shall be substituted.

[File No. 1(7)/86-CP]

Note.— Principal notification No. 80-TEX.1/48 dated 2-8-1948, subsequently amended:—

S.No.	Notification S.O. No. /GSR No.	Date
1.	1217	12-4-66
2.	1878	10-6-66
3.	1957	24-6-66
4.	2636	17-8-66
5.	2639	18-8-66
6.	445	31-1-67
7.	1604	2-5-68
8.	2643	2-7-68
9.	4138	11-11-68
10.	4326	22-11-68
11.	1738	11-7-69
12.	324	5-1-71
13.	CLBI/ /67-71	1-4-71
14.	3807	15-9-71
15.	3641	20-10-72
16.	959	26-3-73
17.	2534	28-8-73
18.	978	10-4-74
19.	3147	6-11-74
20.	2074	19-6-75
21.	4403	23-9-75
22.	1096	3-3-76
23.	487	22-7-76
24.	103(E)	20-2-79
25.	378(E)	30-6-79
26.	2170	31-7-81
27.	2171	31-8-81

सा.आ. 1259—ग्राम्यक वस्तु अधिनियम, 1955 (1955 का 10) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वेन्ट्रेप सरकार बस्त्र (शक्ति चालित करने वाला उत्पादन) नियंत्रण आदेश, 1956 में आगे संशोधन करने के लिए एतदद्वारा निम्नलिखित आदेश करता है, अर्थात् :—

- (1) इस आदेश को बस्त्र (शक्ति चालित करने वाला उत्पादन) नियंत्रण संशोधन आदेश, 1986 कहा जाएगा।

(2) वस्त्र (शक्ति वालित करने वारा सत्यावहन) नियंत्रण आदेश, 1956 के खण्ड 6 के उपखण्ड (1) के प्रथम परन्तुक में “600 रु. (केवल छः सौ रुपये)” शब्दों के स्थान पर “250 रु. (केवल दो सौ पचास रुपये)” शब्द रखे जायेंगे।

[का. सं. 1(7)/86-सं. पी.]

एस.के. अग्निहोत्री, संयुक्त सचिव

टिप्पणी : नुच्छ्य अधिसूचना सं. एस आर.ओ. 3151 दिनांक 19 दिसंबर, 1956 में बाद में संशोधन किया गया :—

क्रमांक	अधिसूचना सा.आ. संख्या	तारीख
1.	1216	12-4-1966
2.	3616	23-11-1966
3.	1475	14-4-1967
4.	2591	30-6-1969
5.	693	3-1-1972
6.	2674	17-8-73
7.	2555	28-8-1973
8.	377(अ)	30-6-1979

S.O. 1259.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby makes the following Order further to amend Textile (Production by Powerlooms) Control Order, 1956, namely :—

1. This Order may be called the Textiles (Production by Powerlooms) Control Amendment Order, 1966.
2. In sub-clause (1) of clause 6 of the Textile (Production by Powerlooms) Control Order, 1956, in the first proviso, for the expression, “Rs. 600 (rupees six hundred only)”, the expression “Rs. 250 (rupees two hundred and fifty only)” shall be substituted.

[File No. 1(7)/86-CP]

S. K. AGNIHOTRI, Jt. Secy.

Note :—Principal Notification No. S.R.O. 3151 dated 19th December, 1956 subsequently amended:

S.No.	Notification S.O. No.	Date
1.	1216	12-4-1966
2.	3616	23-11-1966
3.	1475	14-4-1967
4.	2591	30-6-1969
5.	693	3-1-1972
6.	2474	17-8-1973
7.	2535	28-8-1973
8.	377(E)	30-6-1979

पेट्रोलियम और प्राकृतिक गैस संचालन

मई दिल्ली, 13 मार्च, 1986

का. आ. 1260 :—यह: पेट्रोलियम और अनियंत्रित पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) प्रधिनियम, 1962 (1962

का 50) की घारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 1824 तारीख 26-5-84 घारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुमती में विनियिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को विछाने के लिए अर्जित करने का प्रपत्ता आशय घोषित कर दिया था।

धौर यतः यह अधिकारी ने उक्त अधिनियम की घारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

धौर आगे, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुमती में विनियिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यह: उक्त अधिनियम की घारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है की इस अधिसूचना में गंभीर अनुमती में विनियिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन विछाने के प्रयोजन के लिए एवं द्वारा अर्जित किया जाता है।

धौर आगे उस घारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के आवाय सेल और प्राकृतिक गैस आयोग में, सभी आधारों से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुमती

पी. जे. डी. से.जी. जी. एस. विराज तक पाइप लाइन विछाने के लिए

राज्य : गुजरात	ज़िला : मेहमाना	तालुका : फ़री
नामीकड़ी	सर्वे नं.	हेक्टर आर सेन्टीयर
	178/5	0 05 00
	179/6	0 04 50
	153/1	0 02 08

[म. O-12016/36/84-ओ. एन. जी.-डी 4]

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 13th March, 1986

S.O. 1260.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1824 dated 26-5-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of

this declaration in the Oil and Natural Gas Commission free from encumbrances

SCHEDULE

Pipeline from VJD to GGS Viraj

State : Gujarat District: Mehsana Taluka : Kadi

Village	Survey No.	Hec-tare	Are	Centiare
Nani Kadi	178/5	0	05	00
	178/6	0	04	50
	153/1	0	01	08

[No. O-12016/36/84-ONG-D4]

का. आ. 1261.—यतः पेट्रोलियम और लग्नियम पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) प्रधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 3188 तारीख 27-9-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों के उपयोग के प्रधिकार को पाइप लाइन के विकास के लिए अर्जित करने का प्रयत्न आण्य घोषित कर दिया था।

और यतः सशम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार को रिपोर्ट दी ही है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का प्रधिकार प्राप्ति करने का विनियन किया है।

अब, यतः उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त गति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन विकास के प्रयोजन के लिए एवं द्वारा प्राप्ति किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों का उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग, भौमि बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

पनुसूची

कालोल :—231 से कालोल—16 तक पाइप लाइन विकास के लिए

राज्य : गुजरात	जिला : मेहसाना	तालुका : कालोल		
गांव	सर्व. नं.	हेक्टर	आर	सेन्टीयर
सईज	1535/पी	0	03	60
	1535/पी	0	04	50
	1535/पी	0	04	72
	1533	0	04	00

[सं. O-12016/102/84—भोएनजी-टी. 4]

S.O. 1261.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 3188 dated 27-9-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared

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its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances

SCHEDULE

Pipeline from Kalol-31 to Kalol-16

State : Gujarat District : Mehsana Taluka: Kalol

Village	Survey No.	Hec-tare	Are	Centiare
Saij	1535/P	0	03	60
	1535/P	0	04	50
	1535/P	0	04	72
	1533	0	04	00

[No. O-12016/102/84-ONG-D4]

का. आ. 1262.—यतः पेट्रोलियम और लग्नियम पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) प्रधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के प्रधीन भारत सरकार के पेट्रोलियम मंत्रालय का. आ. सं. 2900 तारीख 7-6-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग के प्रधिकार को पाइपलाइन के लिए अर्जित करने का अपना आण्य घोषित कर दिया था।

और यतः सशम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार को रिपोर्ट दी ही है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का प्रधिकार प्राप्ति करने का विनियन किया है।

अब, यतः उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त गति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन विकास के प्रयोजन के लिए एवं द्वारा प्राप्ति किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों का उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग, भौमि बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एस. के. सी. एफ. से एन. के. जी. औ. प्स. 1 तक पाइप
मालन विभाग के लिये।

राज्य : गुजरात	जिला : अहमदाबाद	तालुका : विरसगाम	
गाँव	म. न.	हेक्टर	ए. घार है सेटीयर
सेलावी	16	0	12 00
	11	0	07 90
	12	0	13 10
	43	0	67 20
	48	0	72 96
	185	5	16 00
	219/1	0	09 00
	218/1	0	08 40
	217	0	18 50
	216	0	06 70
	215	0	10 80
	212/2	0	06 36
	212/3	0	05 88
	212/1	0	03 00
	209/6	0	10 20
	209/7	0	18 75
	209/10	0	15 00
	209/11	0	13 36

[सं. O—12016/67/85-सो एन जी-डी. 4]

S.O. 1262.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2900 dated 7-6-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances

SCHEDULE

Pipeline from NKCF To NK GGS I.

State : Gujarat District : Ahmedabad
Taluk : Viramgam

Village	Survey No.	Hec-tare	Arc	Cen-tiare
Telavi	16	0	12	00
	11	0	07	90
	12	0	13	10
	43	0	67	20
	48	0	72	96
	185	0	16	00
	219/1	0	09	00
	218/1	0	08	40
	217	0	18	50
	216	0	06	70
	215	0	10	80
	217/2	0	06	36
	217/3	0	05	88
	212/1	0	03	00
	209/6	0	10	20
	209/7	0	18	75
	209/10	0	15	00
	209/11	0	13	36

[No. O-I-016/67/85-ONG-D-4]

का. आ. 1263—यह: पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 भूमि में उपयोग के अधिकार का अर्जन) की धारा 3 की उपधारा (1) के अधीन सारत सरकार का 50 द्वारा जारी केन्द्रीय सरकार ने उस अधिसूचना का. आ. सं. 2906 तारीख 10-6-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को विछाने के लिए अर्जित करने का अपना माशय घोषित कर दिया था।

और यह: सक्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देती है।

और आगे, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित करने का विनिष्चय किया है।

आगे, यह: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रबल शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन विछाने के प्रयोजन के लिए एवं एक द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी वादाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख की निश्चित होगा।

प्रत्यक्षी

एन. के. 150 से एन. के. 151 तक पाईप लाइन विभाने के लिये।

राज्य—गुजरात ज़िला व तालुका—मेहसना

गाँव	म. नं.	हेक्टर	एकड़ार	सेंटीयर
धानपुरा	285	0	06	24
	324	0	03	48
	323	0	05	28
	322	0	06	84
	316	0	02	88
	319	0	12	36
	318	0	02	04
काटदँड़क		0	00	72

[सं. O-12016/66/85—ओ एन जी-डी. 4]

S.O. 1263.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2906 dated 10-6-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from NK-150 to NK-151

State : Gujarat

District & Taluka : Mehsna

Village	Survey No.	Hec-tare	Are	Centiare
DHANPURA	285	0	06	24
	324	0	03	48
	323	0	05	28
	322	0	06	84
	316	0	02	88
	317	0	12	36
	318	0	02	04
Cart track		0	00	75

[No. O-12016/66/85-ONG-D-

का. आ. 1264.—प्रत्यक्षी और अंतिम पाईप लाइन मूल्य में उपयोग के अधिकार का व्रजन अधिनियम, 1962 (1962 का 50) की धारा 3 को उपयोग (1) के अधान माल तकार के पेट्रोलियम मंत्रालय के अधिकृतों का. आ. सं. 2134 तारीख 1-5-85 द्वारा कर्त्रिय तकार ने उन अधिकृतों में लैन अनुमति में उपयोग के अधिकार को प्रदान किए जिन्हें विनियोग में उपयोग के अधिकार को प्रदान किए जाने का विभाने के लिए व्रजित करने का प्रबन्ध आशय बापून कर दिया था।

और यह नियम प्रधान अधिकारी ने उक्त अधिनियम की धारा 6 की उपयोग (1) के प्रतीन तकार को लिया है।

और आगे, यह केन्द्रीय तकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिकृतों से संबन्ध अनुमति में विनियोग भूमियों में उपयोग के अधिकार अधित करने का विनियोग किया है।

अब, यह उक्त अधिनियम की धारा 6 की उपयोग (1) द्वारा प्रदत्त शक्ति का प्रयोग करने द्वारा केन्द्रीय तकार एवं द्वारा योग्यता करती है कि इस अधिकृतों में संक्षेप अनुमति में उपयोग के अधिकार अधित करने के प्रबन्ध लिए एतद्वारा व्रजित किया जाता है।

और आगे उक्त धारा की उपयोग (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा केन्द्रीय तकार निवेदित होती है कि उक्त भूमियों में उपयोग के अधिकार केन्द्रीय तकार में विनियोग होने का विवाद लेन और प्रकृतिक रौप्य आपूर्ति में, सभी आधारों से मुक्त रूप में, घोषणा के प्रकाशन को इस तरीके को निहित होगा।

प्रत्यक्षी

कुमार न. संतरडी “अ” से पौद्द इंजेक्शन तक पाईप लाइन विभाने के लिए।

राज्य : गुजरात	ज़िला : महसना	तालुका : कट्टी		
गाँव	मर्द नं.	हेक्टर	आर	सेंटीयर
कट्टी	1953	0	05	00
	1857	0	06	15

[सं. O-12016/42/85-ओ एन जी-डी. 4]

S.O. 1264.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 2134 dated 1-5-85 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. Sed 'A' to Water Injection
State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hectare	Acre	Centiare
KADI	1953	0	05	00
	1857	0	06	15

[No. O-12016/4./85-ONG-D. 4]

का. घा. 1265:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में एन. के. ए. के. से एन. के. जी. जी. एस. 1 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

और यह यह प्रतीत होता है कि ऐसी लाईनों को बिलाने के प्रयोजन के लिये एतदुपाद्ध भन्सूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

यतः ग्रब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का भर्जन) अधिनियम, 1962 (1962 का 50) की द्वारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आवश्य एतद्वारा घोषित किया है।

बायते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए आयोग सभम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग, मकरुरा रोड, बडोदरा-9 को इस भन्सूची को तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आयोग करने वाला हर व्यक्ति विनिविष्टता यह भी कथन करेगा कि क्या यह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से ही या किसी विधि व्यवसायी की मार्फत।

भन्सूची

एन. के. ए. के. से.एस. के. जी. जी. एस. 1 तक पाइप लाइन बिलाने के लिये।

राज्य : गुजरात	ज़िला : भरुचवाव तालुका : विरामगम	गांव	स. नं.	हेक्टर	एक्टर	सेन्टीयर
तेलवाडी		249	0	43	80	
		248/2	0	06	24	
		246/1	0	15	00	
		245	0	32	06	
		222	0	07	80	
		223	0	07	75	
		211/2	0	05	21	
		211/4	0	16	15	
		211/3	0	02	96	
		211/1	0	08	00	
		209	0	12	00	

[स. O-12016/18/86—ओ एन जीडी. 4]

S.O. 1265.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from NKAK to NK GGSI in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil and Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara, (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from NKAK to NK. GGS I

State: Gujarat District: Ahmedabad Taluka: Viramgam

Village	Survey No.	Hectare	Acre	Centiare
TELAVI	249	0	43	80
	246/2	0	06	24
	246/1	0	15	00
	245	0	32	06
	222	0	07	80
	223	0	07	75
	211/2	0	05	21
	211/4	0	16	15
	211/3	0	02	96
	211/1	0	08	00
	209	0	12	00

[No. O-12016/18/86-ONG-D-4]

का. घा. 1266:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. एस. -I से जी. जी. एस. -III तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिलाने के प्रयोजन के लिए एतदुपाद्ध भन्सूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

यतः ग्रब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का भर्जन) अधिनियम, 1962 (1962 का 50) की द्वारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आवश्य एतद्वारा घोषित किया है।

बायते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए आयोग सभम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग, मकरुरा रोड, बडोदरा-9 को इस भन्सूची को तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आयोग करने वाला हर व्यक्ति विनिविष्टता यह भी कथन करेगा कि क्या यह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से ही या किसी विधि व्यवसायी की मार्फत।

प्रस्तुती

पाइपलाइन जी. जी. एस. [से जी. जी. एस. III तक
राज्य : गुजरात जिला : खेड़ा तालुका : मातेर

गांव	सर्वे नं.	हेक्टेयर	मार	सेस्टीयर
पनसोली	397	0.	03	25
	396	0	01	75
	345	0	02	50
	349/1	0	01	50
	385	0	02	15
	386	0	04	50
	382	0	07	05
	350	0	04	00
	348/1	0	04	00
	347/1	0	03	05

[सं. O. - 12016/19/86-ओ एन जी-झी, 4]

S.O. 1266.—Whereas it appears to the Central Government that it is necessary in the public interest for the transport of petroleum from GGS I to GGS III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS III

State: Gujarat **District:** Kheda **Taluka:** Matar

Village	Block No.	Hectare	Acre	Centiare
PANSOLI	397	0	03	25
	376	0	01	75
	345	0	02	50
	349/1	0	01	50
	385	0	02	15
	386	0	04	50
	382	0	07	05
	350	0	04	00
	348/1	0	04	00
	347/1	0	03	05

[No. O-12016/19/86-ONG-D-4]

नई दिल्ली, 14 मार्च, 1986

का. आ. 1267.—यतः केन्द्र य सरकार की यह प्रतीत होता है कि लोकसंघ में यह अवश्यक है कि गुजरात राज्य में कुछान् शहरमदावाद-4 से डल्लू तक प्रार्थ शहरमदावाद-18 तक पैटोलिम्पन के पांचवहां के पाइप लाइन लिए तेल तथा प्राकृतिक गैस प्राप्तों द्वारा बिछाई जान् चाहिए।

और यह कि वह प्रांत होता है कि ऐप्पा डिनों को बिछाने के प्रयोजन के लिए एक अनुसूची में बणित भूमि में उपयोग का अधिकार दर्जित करना आवश्यक है।

अतः अब पैटेन्टियम और लॉन्गिज पाइप लाइन (भूमि में उपयोग के प्रतिकार का शर्तन) प्रधारित्यम्, 1962 (1962 का 50) को धारा 3 को उपधारा (1) द्वारा प्रदत्त गणितीयों का प्रयोग करते हुए केन्द्र य संस्थान न इसमें उपयोग का प्रतिकार प्रतित करने का आवास अधिक प्रतद्वारा बोधित किया गया है।

वर्षाने कि उक्त भूमि थे हितवद्ध को इस व्यक्ति, जो स भूमि के नीचे पाइप लाइन बिछाने के लिए श्राक्षेप रागक्ष प्राप्तिकरी, तेस तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, भक्तपुरा राड, बडोदरा-५ को इस अधिसूचना की तारीख से २१ दिनों के भोतर कर सकेगा।

और ऐसा प्राक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह जो कथन करेगा कि क्या यह चाहिए है कि उसकी सन्वार्द्ध व्यक्तिगत हो या किसी अधिक व्यवसाय की मार्फत।

प्रत्युत्ते
कुंवी नं. अहमदाबाद - 4 से उल्लू एच आई. अहमदाबाद
- 12 वाट परामा लाइन विलोडे के द्वारा

गांव	सर्वे नं.	हैक्टेयर	आरे सेन्टेयर
हुथीजन	43	0	30
	56/3	0	07
	56/2	0	09
	56/5	0	08
			45

New Delhi, the 14th March, 1986

S.O. 1267.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from A'bad-4 to WHI at A'bad-18 in Gujarat State pipeline should laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

And, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (30 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Ahmedabad-4 to WHI at A'bad-18
State : Gujarat Distt. : Ahmedabad Taluka : Dascroi

Village	Survey No.	Hectare	Acre	Centiare
Hathijan	43	0	30	18
	56/3	0	07	20
	56/2	0	09	63
	56/5	0	08	45

[No. O-12016/8/86-ONG-D4]

का. आ. 1268 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कुवा नं. जे.-22 से जी. जी. एस. 1 जालोर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जान चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बताते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाई पाइप लाइन बिछाने के लिए आक्षेप सक्तम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कुवा नं. जे.-22 से जी. जी. एस. 1 जालोर तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : मेहसाना	तालुका : कडी
सर्वे नं.	हेक्टर	आर सेन्टीयर
मणिपुर	173	0 15 00

[स. O.—12016/9/86-ओएनजीडी.-4]

S.O. 1268.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Well No. P-22 to GGS I Jhalora in the Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

And, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009);

And every person making such an objection shall also state specifically whether he wishes to be hear in person or by legal practitioner.

SCHEDULE

Pipeline from Well No. J-22 to GGS I Jhalora
State : Gujarat Distt. : Mehsana Taluka : Kadi

Village	Survey No.	Hectare	Acre	Centiare
Manipur	173	0	15	00

[No. O-12016/9/86-ONG-D4]

का. आ. 1269 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं. एन. आई.-72 से जी. जी. एस.-III तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बताते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाई पाइप लाइन बिछाने के लिए ग्रामीण सक्तम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा, रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कूप नं. एन. आई. 72 से जी. जी. एस.-III तक
पाइप लाइन बिछाने के लिये।

राज्य : गुजरात	जिला : खेड़ा	तालुका : मातर		
गांव	सर्वें नं.	हेक्टेयर	घारे	सेन्टीयर
गोबलज	507/2	0	03	15
	507/3	0	01	95
	507/4	0	03	75
	508/1	0	01	35
	508/2	0	07	20
	538	0	05	85

[सं. ओ.—12016/10/86-ओ. एन. जी.-डी.-4]

S.O. 1269.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Well No. NI-72 to GGS III in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

And, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline From Well No. NI 72 to GGS-III
State : Gujarat District : Kheda Taluka : Matar

Village	Survey No.	Hectare	Are	Centiare
Goblag	507/2	0	03	15
	507/3	0	01	95
	507/4	0	03	75
	508/1	0	01	35
	508/2	0	07	20
	538	0	05	85

[No. O-12016/10/86-ONG-D-4]

नई दिल्ली, 14 मार्च, 1986

का. आ. 1270.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि असम राज्य

में लाकुवा जि. जि. एस.-5 से नि. नि. एस-4 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस उपयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्विषयक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः यब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त प्रक्रियाओं का प्रयोग करते हुए, केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है।

बगते कि उक्त भूमि में हितबन्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप उपायकृत, शिवसागर/असम के कार्यालय में इस अधिसूचना को तारीख के 21 दिनों के भीतर कर सकेगा।

आंग एसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भौ कथन करेगा कि क्या वह यह चाहता है कि उसकी सूनघाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

आर. ओ. इक—लाकुवा जि. जि. एस.-5
से लाकुवा—जि. जि. एस.-4 तक

राज्य—असम जिला—शिवसागर तालुक—पिलाकुटी

ग्र.म	सर्वें नम्बर	हेक्टर	प्रे.	सेन्टी- एयर
1	2	3	4	5
घोरासोवा गांव	246/ख	0	1	20
	325/ख	0	3	34
	326/ख	0	3	21
	327/ख	0	6	42
	322/ख	0	1	74
	323/ख	0	0	13
	533/ख	0	1	07
	534/ख	0	2	14
	535/ख	0	2	14
	536/ख	0	2	14
	344/ख	0	0	94
	545/ख	0	1	47
	546/ख	0	1	47
	553/ख	0	1	87
	555/ख	0	1	07
	556/ख	0	1	87
	626/ख	0	1	07
	627/ख	0	2	03
	637/ख	0	1	47

1	2	3	4	5
बोरासोबा गांव	537/ख	0	2	14
	639/ख	0	1	07
	641/ख	0	1	07
	640/ख	0	1	07
	330/ख	0	3	08
	526/ख	0	3	61
	527/ख	0	1	20
	528/ख	0	1	07
	530/ख	0	2	94
	532/ख	0	1	94
	856/ख	0	1	14

[S. O-12016/11/86-ओ. पन. जि. छ-4]

1	2	3	4	5
	546/Kha	0	1	47
	553/Kha	0	1	87
	555/Kha	0	1	07
	556/Kha	0	1	87
	626/Kha	0	1	07
	627/Kha	0	2	03
	637/Kha	0	1	47
	537/Kha	0	2	14
	639/Kha	0	1	07
	641/Kha	0	1	07
	640/Kha	0	1	07
	330/Kha	0	3	08
	526/Kha	0	3	61
	527/Kha	0	1	20
	528/Kha	0	1	07
	530/Kha	0	2	94
	532/Kha	0	1	94
	856/Kha	0	1	34

[No. O-12016/11/86-ONGD-4]

S.O. 1270.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Lakwa GGS-V to Lakwa GGS-IV in Sibsagar District, Assam. Pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right User in land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Lakwa GGS-V to Lakwa GGS-IV]

State : Assam Distt. : Sibsagar Taluk : Silakuti

Village	Survey No.	Hec-tare	Acre	Centia-re
1	2	3	4	5
Ghorachowa Gaon	246/Kha	0	1	20
	325/Kha	0	3	34
	326/Kha	0	3	21
	327/Kha	0	6	42
	322/Kha	0	1	74
	323/Kha	0	0	13
	533(Kha)	0	1	07
	543/Kha	0	2	14
	535/Kha	0	2	14
	536/Kha	0	2	14
	544/Kha	0	0	94
	545/Kha	0	1	47

का. आ. 1271.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि असम राज्य में लाकुवा जि.जि. एस.-5 से लाकुवा जि.जि. एस.-4 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन सेत तथा प्राकृतिक गैस आयोग द्वारा बिठाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिठाने के प्रयोजन के लिए एतदूषाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उससे उपयोग का अधिकार अंजित करने का अपना आवश्य एतदूषारा घोषित किया है।

बाशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिठाने के लिए आक्षेप उपायकृत, शिवसागर, असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सूनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

आर. ओ. इ.क. लाकोवा जि.जि. एस.-5
से लाकुवा जि.जि. एस.-4

राज्य : असम	जिला : शिवसागर	तालुक : बकटा		
ग्राम	सर्वे नम्बर	हेक्टर	एरे सेन्टियरे	
1	2	3	4	5
बरपीयाल गांव	197/ख	0	1	20
	339/ख	0	2	81

1	2	3	4	5
बरपीयास गांव	360/ख	0	0	67
	361/ख	0	5	08
	362/ख	0	0	40
	363/ख	0	2	81
	367/ख	0	0	80
	368/ख	0	1	07
	370/ख	0	3	21
	374/ख	0	1	07
	375/ख	0	1	20
	377/ख	0	1	20
	379/ख	0	1	07
	380/ख	0	1	34
	381/ख	0	1	09
	382/ख	0	0	67
	383/ख	0	1	20
	384/ख	0	1	07
	395/ख	0	1	87
	396/ख	0	2	41
	397/ख	0	2	27
	482/ख	0	0	27
	487/ख	0	1	47
	489/ख	0	3	08
	514/ख	0	1	47
	515/ख	0	1	34
	516/ख	0	1	20
	517/ख	0	1	20
	518/ख	0	4	41
	630/ख	0	2	81
	632/ख	0	0	67
	633/ख	0	0	47
	636/ख	0	0	27
	637/ख	0	2	68
	644/ख	0	2	81
	650/ख	0	1	61
	651/ख	0	1	87
	652/ख	0	0	96
	665/ख	0	2	14
	390/ख	0	0	40

[सं. O-12016/12/86-ओ. एन. जी.-जी.-4]

S.O. 1271.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Lakwa GGS-V to Lakwa GGS-IV in Sibsagar Dist., Assam Pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and

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Mineral Pipelines (Acquisition of Right User in land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

[Lakwa GGS-V to Lakwa GGS-IV]

State: Assam	Dist: Sibsagar	Taluk: Bokata	Village	Survey No.	Hectare	Acre	Cent
Boropial Gaon:			197/Kha		0	1	20
			339/Kha		0	2	81
			360/Kha		0	0	67
			361/Kha		0	5	08
			362/Kha		0	0	40
			363/Kha		0	2	81
			367/Kha		0	0	80
			368/Kha		0	1	07
			370/Kha		0	3	21
			374/Kha		0	1	07
			375/Kha		0	1	20
			377/Kha		0	1	20
			379/Kha		0	1	07
			380/Kha		0	1	34
			381/Kha		0	1	07
			382/Kha		0	0	67
			383/Kha		0	1	20
			384/Kha		0	1	07
			395/Kha		0	1	87
			396/Kha		0	2	41
			397/Kha		0	2	27
			482/Kha		0	0	27
			487/Kha		0	1	47
			489/Kha		0	3	08
			514/Kha		0	1	47
			515/Kha		0	1	34
			516/Kha		0	1	20
			517/Kha		0	1	20
			518/Kha		0	4	41
			630/Kha		0	2	81
			632/Kha		0	0	67
			633/Kha		0	0	47
			636/Kha		0	0	27
			637/Kha		0	2	68
			644/Kha		0	2	81
			650/Kha		0	1	61
			651/Kha		0	1	87
			652/Kha		0	0	96
			665/Kha		0	2	14
			390/Kha		0	0	40

[No. O-12016/12/86-ONG-D-4]

का. आ. 1272.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि असम राज्य में लाकूवा कूप नं. 99 से जि.जि.एस.-4 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन सेल तथा प्राकृतिक गैस आपोग द्वारा विभाइ जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनडपावड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एनडपावड घोषित किया है।

बताते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप उपायुक्त, शिवसागर, असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ. इक लाकूवा कूप नं.-99 से लाकूवा
जि.जि.एस.-4 तक।

राज्य—असम	जिला—शिवसागर	तालूक—शिलाकूटि			
ग्राम	मर्वे नम्बर	हेक्टर	ऐरे	मेन्टिएरे	
1	2	3	4	5	
टिपमिया गांव	35/ख और ग	0	7	76	
	46/ख	0	1	61	
	80/ख	0	0	40	
	81/ख और ग	0	5	89	
	82/ख	0	1	07	
	636/ख	0	4	01	

[सं. O-12016/13/86-ओ. एन. जि.-टी.-4]

S.O. 1272.—Whereas it appears to the Central Government that it is necessary in the public interest for the transport of Petroleum from Lakwa Well No. 99 to Lakwa GGS-4 in Sibsagar Dist. Assam. Pipeline should be laid by the Oil and Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right User in land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State: Assam Dist: Sibsagar Taluk: Silakuti

Village	Survey No.	Hec tare	Are	Cen tare
Tipomia Gaon:	35/Kha & Ga	0	7	76
	46/Kha	0	1	61
	80/Kha	0	0	40
	81/Kha & Ga	0	5	89
	82/Kha	0	1	07
	636/Kha	0	4	01

[No.O-12016/13/86-ONGD-4]

का. आ. 1273.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लाकूवा जि.जि.एस-5 से जि.जि. एस-4 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनडपावड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने के अपना आशय एनडपावड घोषित किया है।

बताते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप उपायुक्त, शिवसागर असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनबाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ.इक. लाकूवा जि.जि. एस-5 से लाकूवा
जि.जि.एस-4 तक।

राज्य—असम जिला—शिवसागर तालूक—बकूवा।

ग्राम	मर्वे नम्बर	हेक्टर	ऐरे	मेन्टिएरे
1	2	3	4	5
कुरुगाच्चा	129/ख	0	0	67
देवधाइ	627/ख	0	2	94
	621/ख	0	2	01
	130/ख	0	0	94
	622/ख	0	3	08
	626/ख	0	1	34

1	2	3	4	5	1	2	3	4	5
कुकुराचोवा	626/घ	0	0	54	कुकुराचोवा	466/घ	0	0	27
देवधाइ	131/घ	0	1	47	देवधाइ	456/घ	0	1	74
	620/घ	0	0	94		459/घ	0	3	75
	134/घ	0	4	80		462/घ	0	3	61
	135/घ	0	4	13		467/घ	0	0	67
	136/घ	0	1	34		668/घ	0	0	67
	150/घ	0	2	94		619/घ	0	1	20
	154/घ	0	0	13		623/घ	0	0	94
	151/घ	0	0	27		625/घ	0	0	01
	153/घ	0	2	81		630/घ	0	0	54
	161/घ	0	3	87		631/घ	0	1	47
	274/घ	0	2	81		632/घ	0	0	67
	162/घ	0	2	41		633/घ	0	0	40
	163/घ	0	1	47		636/घ	0	0	67
	165/घ	0	0	40		637/घ	0	0	67
	170/घ	0	1	20		290/घ	0	0	27
	174/घ	0	1	34			[म. ओ.-12016/14/86-ओ पत्र जी-डी-4]		
	171/घ	0	1	87					
	273/घ	0	4	55					
	275/घ	0	2	14	S.O. 1273.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Lakwa GGS-V to Lakwa GGS-IV in Sibsagar Dist., Assam. Pipeline should be laid by the Oil and Natural Gas Commission ;				
	294/घ	0	1	20					
	295/घ	0	1	34	And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;				
	297/घ	0	1	34					
	298/घ	0	1	20	Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;				
	303/घ	0	0	27					
	305/घ	0	0	54	Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam.				
	304/घ	0	1	07					
	308/घ	0	0	94	And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.				
	312/घ	0	1	20					
	314/घ	0	2	81					
	307/घ	0	1	61	SCHEDULE				
	310/घ	0	0	80	[Lakwas GGS-V to Lakwa GGS IV]				
	325/घ	0	0	80	State: Assam Dist: Sibsagar Taluk: Bakata				
	453/घ	0	1	34					
	311/घ	0	1	87	Village	Survey No	Hect	Arc	Cent-
	326/घ	0	0	80	1	2	are	iare	are
	328/घ	0	0	80	Kukurachowa	19/Kha	0	0	67
	331/घ	0	0	80	Deodhai Gaon:	627/Kha	0	2	94
	332/घ	0	1	20		621/Kha	0	2	01
	333/घ	0	1	61		130/Kha	0	0	94
	336/घ	0	0	27		622/Kha	0	3	08
	337/घ	0	0	87		626/Kha	0	1	34
	447/घ	0	1	61		131/Kha	0	1	47
	448/घ	0	3	75		620/Kha	0	0	94
	454/घ	0	0	94		134/Kha	0	4	80
	455/घ	0	0	94		135/Kha	0	4	13
	457/घ	0	0	94		136/Kha	0	1	34
						150/Kha	0	2	94

1	2	3	4	5
Kukurachowa	154/Kha	0	0	13
Deodhai Gaon:	151/Kha	0	0	27
	153/Kha	0	2	81
	161/Kha	0	3	87
	274/Kha	0	2	81
	162/Kha	0	2	41
	163/Kha	0	1	47
	165/Kha	0	0	40
	170/Kha	0	1	20
	174/Kha	0	1	34
	171/Kha	0	1	87
	273/Kha	0	4	55
	275/Kha	0	2	14
	294/Kha	0	1	20
	295/Kha	0	1	34
	297/Kha	0	1	34
	298/Kha	0	1	20
	303/Kha	0	0	27
	305/Kha	0	0	54
	304/Kha	0	1	07
	308/Kha	0	0	94
	312/Kha	0	1	20
	314/Kha	0	2	81
	307/Kha	0	1	61
	310/Kha	0	0	80
	325/Kha	0	0	80
	453/Kha	0	1	34
	311/Kha	0	1	87
	326/Kha	0	0	80
	328/Kha	0	0	80
	331/Kha	0	0	80
	332/Kha	0	1	20
	333/Kha	0	1	61
	336/Kha	0	0	27
	337/Kha	0	0	87
	447/Kha	0	1	61
	448/Kha	0	3	75
	454/Kha	0	0	94
	455/Kha	0	0	94
	457/Kha	0	0	94
	466/Kha	0	0	27
	456/Kha	0	1	74
	459/Kha	0	3	75
	462/Kha	0	3	61
	467/Kha	0	0	67
	468/Kha	0	0	67
	619/Kha	0	1	20
	623/Kha	0	0	94
	625/Kha	0	0	01
	630/Kha	0	0	54
	631/Kha	0	1	47
	632/Kha	0	0	67
	633/Kha	p	0	40
	636/Kha	0	0	67
	637/Kha	0	0	67
	290/Kha	0	0	27

[No.O-12016/14/86-ONG-D-4]

का. आ. 1274.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकांतर में यह आवश्यक है कि असम राज्य में दिखौं जंचन पाइंट से साकूवा चि.टि. फ्लॉपेट्रियम के परिवहन के लिए पाइप साइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यतः यह प्रतीत होता है कि ऐसी साइनों को बिछाने के प्रयोजन के लिए एतदुपायाद्व अनुसूची में वण्ठ भूमि में उपयोग वा अधिकार अंजित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन) अधिनियम, 1962 (1962 का 50) की धारा 3 को उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है;

वर्षों कि उक्त भूमि में हितवद्व कोई व्यक्ति, उस भूमि के नीचे पाइप साइन बिछाने के लिए आक्षेप उपायुक्त, शिवसागर/असम के कार्यालय में इस अधिसूचना की तारीख के 21 दिनों के भीतर कर सकेगा;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

ककूवा सि. टि. एफ. से दिखौं जंचन पाइंट तक
राज्य—असम जिला—शिवसागर तालुका—बेंबारी

ग्राम	सर्वे नम्बर	हेक्टर	पेरे सेन्टिएरे		
			1	2	3
डिमबाल गांव	321 ख	0	14	05	
	316 ख	0	2	81	
	317 ख	0	1	87	
	567 ख	0	0	40	
	566 ख	0	1	61	
	565 ख	0	1	61	
	564 ख	0	1	74	
	563 ख	0	1	61	
	503 ख	0	4	15	
	501 ख	0	4	82	
	500 ख	0	2	54	
	499 ख	0	2	14	
	331 ख	0	0	67	
	366 ख	0	0	67	
	337 ख	0	0	80	
	343 ख	0	0	54	
	344 ख	0	0	27	
	493 ख	0	0	54	
	483 ख	0	5	35	
	482 ख	0	2	81	
	680 ख	0	1	61	
	481 ख	0	2	41	
	396 ख	0	3	21	
	397 ख	0	3	75	
	678 ख	0	3	61	

1	2	3	4	5	1	2	3	4	5
डिमोल गाँव	399 ख	0	5	75	Dimowal Gaon	503/Kha	0	4	15
	401 ख	0	1	47		501/Kha	0	4	82
	480 ख	0	2	81		500/Kha	0	2	54
	479 ख	0	1	74		489/Kha	0	2	14
	419 ख	0	3	88		331/Kha	0	0	67
	416 ख	0	2	01		336/Kha	0	0	67
	415 ख	0	2	01		337/Kha	0	0	80
	414 ख	0	2	14		343/Kha	0	0	54
	413 ख	0	2	01		344/Kha	0	0	27
	392 ख	0	8	43		493/Kha	0	0	54
	390 ख	0	0	27		483/Kha	0	5	35
	706 ख	0	2	81		482/Kha	0	2	81
	707 ख	0	2	01		680/Kha	0	1	61
	383 ख	0	1	74		481/Kha	0	2	41
	382 ख	0	2	68		396/Kha	0	3	21
	380 ख	0	5	48		397/Kha	0	3	75
	379 ख	0	4	41		678/Kha	0	3	61
						399/Kha	0	5	73
						401/Kha	0	1	43
						480/Kha	0	2	81
						479/Kha	0	1	74
						419(Kha	0	3	88
						416/Kha	0	2	01
						415/Kha	0	2	01
						414/Kha	0	2	14
						413/Kha	0	2	01
						392/Kha	0	8	43
						390/Kha	0	0	27
						706/Kha	0	2	81
						707/Kha	0	2	01
						383/Kha	0	1	74
						382/Kha	0	2	68
						380/Kha	0	5	48
						379/Kha	0	4	41

[सं. O-12016/15/86-ओपन जा. ड-4]

S.O. 1274.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Dikhow Junction Point to Lakwa C.T.F. in Sibsagar Dist., Assam, Pipeline should be laid by the Oil and Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right User in land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz. the Deputy Commissioner, Sibsagar, Assam ;

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

LAND SCHEDULE

Dikhow junction point to Lakwa C.T.F.
State : Assam Distt. : Sibsagar Taluk : Betbari

Village	Survey No.	Hectar	Arc	Centi-	are
1	2	3	4		
Dimowal Gaon	321/Kha	0	14	05	
	316/Kha	0	2	81	
	317/Kha	0	1	87	
	567/Kha	0	0	40	
	566/Kha	0	1	61	
	565/Kha	0	1	61	
	564/Kha	0	1	74	
	563/Kha	0	1	61	

[No. O-12016/15/86-ONG-D-4]

का. आ. 1275.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहिंस में यह आषश्यक है कि असम राज्य में आर.दि.एस.जि.जि.एस-3 से टा. पार्षिण्ट आर.टि.एस. लाकूदा तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्र.कुतिश गैस आयोग द्वारा बिछाई जाना चाहिए;

और यतः वह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद अनुमति में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है;

अतः अब पेट्रोलियम और धनिज पाइपलाइन (भूमि में उपयोग का अधिकार का अंजेन) अधिनियम, 1962 (1962 का 50) को धारा 3 को उपधारा (1) द्वारा प्रदत्त गणितों वा प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का आमा आशय एतद्वारा घोषित किया है;

बगते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नोंचे पाइप लाइन बिछाने के लिए आक्षेप उपायुक्त, गिवसागर, असम के कार्यालय में इस अधिसूचना को सारीख के 21 दिनों के भंग तक रख देगा ;

और ऐसा आक्षेप करते बाला हर व्यक्ति विनिर्दिष्ट है: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसको मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायोंका मार्फत।

अनुसूची

आर.दि. प्रस.-न्ज.जि.प्रस.-3 से टॉ पइण्ट, आर.दि. एस.-लाकोबा पाइन लाइन।

राज्य : असम जिला : शियसागर तालुक : मेटेका बन गांव

प्राम	सर्व नम्बर	हेक्टर	ग्रे.र सेन्टिमे.र	
1	2	3	4	5
जोला गांव	355/ग	0	1	74
	678/ग	0	0	51
	358/ग	0	1	61
	360/ग	0	1	61
	362/ग	0	1	87
	363/घ	0	0	27
	390/ग	0	3	45
	392/ग	0	2	14
	413/ग	0	3	75
	412/ग	0	1	61
	411/ग	0	1	34
	679/ग	0	1	20
	410/ग	0	1	07
	409/ग	0	1	07
	396/ग	0	0	67
	408/ग	0	0	94
	406/ग	0	1	61
	107/ग	0	0	54
	438/ग	0	0	67
	439/ग	0	1	87
	440/ग	0	0	94
	441/ग	0	1	74
	442/ग	0	1	61

[सं. O-12016/16/86-ओएनजी-डे-4]

S.O. 1276.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from RDS-GGS-3 to TEE Point on RDS-Lakwa pipeline in Sibsagar Dist., Assam, Pipeline should be laid by Oil and Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right User in Land) Act, 1962 (50 of 1962), the Central Government hereby declared its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority viz., the Deputy Commissioner, Sibsagar, Assam;

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Stat. : Assam Dist. Sibsagar Taluk Meetcha Bongon

Villag:	Survey No.	hectare		Ceti- are
		1	2	
Jula Gaon	355/Ga		0	1 74
	678/Ga		0	0 54
	358/Ga		0	1 61
	360/Ga		0	1 61
	362/Ga		0	1 87
	363/Kha		0	0 27
	390/Ga		0	3 45
	392/Ga		0	2 14
	413/Ga		0	3 75
	412/Ga		0	1 61
	411/Ga		0	1 34
	679/Ga		0	1 20
	410/Ga		0	1 07
	409/Ga		0	1 07
	396/Ga		0	0 67
	408/Ga		0	0 94
	406/Ga		0	1 61
	407/Kha		0	0 54
	438/Ga		0	0 67
	439/Ga		0	1 87
	440/Ga		0	0 94
	441/Ga		0	1 74
	442/Ga		0	1 61

[No. O-12016/16/86-ONG-D-4]

का. आ. 1276. ——यतः केन्द्रीय सरकार वो यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी. जी. ए- I मे जी. जी. एस. V तक पेट्रोलियम के परिवहन के लिये पादपलाइन तेज तथा प्राकृतिक गैस आयोग द्वारा बिष्टाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी नाईनों को बिछाने के प्रयोजन के लिये एन्ड्राक्ष अनुसूची में बनित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है;

वशर्ने कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप माध्यम प्राप्ति करी, तेज तथा प्राकृतिक गैस आयोग, निर्माण और देवभूमि प्रभाग, मरणपुरा रोड, द्रुष्टोदर्श-9 को द्वारा अधिगृहना की तारीख से 21 दिनों के भीतर कर सकेगा;

ओर ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः
यह भी कथन करेगा कि क्या वह यह चाहता है कि उस की
मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की
माफ़न।

अनुसूची

जी. जी. एस- [से जी. जी. एस. — तक पाईप
लाइन विछाने के लिए।

राज्य गुजरात जिला:— मेहसाना तालुका कलोल

गांव	ब्लाक नं.	हे.	आर.	मे.
ईमन्ड	599	0	26	32
	598	0	02	36
	601	0	03	80
	613	0	16	00
	610	0	04	60
	608	0	08	16
	609	0	00	08
	615	0	01	65
कार्टेक	0	00	30	
	760	0	10	56
	787	0	02	04
	788	0	03	52
	797	0	15	16
	796	0	90	05
	802	0	10	16
	803	0	01	15
	806	0	04	80

[स. O-12016 / 22/86-ओएन जी डी-4]

S.O. 1276.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GGS I to GGS V in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum and minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipelines under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS V.

State : Gujarat District : Mehsana Taluka : Kaloj

Village	Block No.	Hectare	Acre	Centi-	are
ISAND	599	0	26	32	
	598	0	02	36	
	601	0	03	80	
	613	0	16	00	
	610	0	04	60	
	608	0	08	16	
	609	0	00	08	
	615	0	01	65	
	Cult track	0	00	30	
	760	0	10	56	
	787	0	02	04	
	788	0	03	52	
	797	0	15	16	
	796	0	00	05	
	802	0	10	16	
	803	0	01	15	
	806	0	04	80	

[No. O-12016/22/86-ONG-D-4]

का. आ. 1277:—यतः केन्द्रीय सरकार को
यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि
गुजरात राज्य में जी. जी. एस-I से जी. जी. एस-VII तक
पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा
प्राकृतिक गैस आपोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को
विछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित
भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में
उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962
का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त
शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें
उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा
घोषित किया है।

वश्वेत कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि
के नीचे पाईप लाइन विछाने के लिए आक्षेप सक्षम प्राधिकारी,
तेल तथा प्राकृतिक गैस आपोग, निर्माण और देखभाल
प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की
तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः
यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी
मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़न;

अनुसूची

जी. जी. एस-1 से जी. जी. एम-7 तक पाईप
लाईन बिलाने के लिए।

गांव	सर्वेन.	हे.	आर.	सं.
उत्तरसंद	कार्टट्रैक	0	00	32
	1064/5	0	17	60
	1065	0	06	00
	1116	0	08	50
	1114	0	14	94
	1109/1	0	11	30
	1109/2	0	05	83
	1110	0	01	60
	1107	0	16	00

[म. O-12016/23/86-ओ.एन.जी.-डी-4]

S.O. 1277.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GGS. I to GGS-VII in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying pipeline under the land to the Competent Authority Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from GGS I to GGS VII
State : Gujarat District & Taluka Gandhinagar.

Village	Survey No.	Hectare	Acre	centi-	are
1	2	3	4	5	6
Uvarsad	Cart track	0	00	32	
	1064/5	0	17	60	
	1065	0	06	00	
	1116	0	08	50	
	1114	0	14	94	
	1109/1	0	11	30	
	1109/2	0	05	83	
	1110	0	01	60	
	1107	0	16	00	

[No. O-12016/23/86-ONG D-4]

का. आ. 1278:—यतः केन्द्रीय सरकार को
यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि
गुजरात राज्य में सी.टी.एफ. में जी. जी. एस. तक
पेट्रोलियम के परिवहन के लिये पाईपलाईन तेल तथा प्राकृतिक
गैस आयोग द्वारा बिलाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को
बिलाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित
भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाईपलाईन (भूमि में
उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962
का 50) का धारा 3 की उपधारा (1) द्वारा प्रदत्त
शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें
उपयोग का अधिकार अर्जित करने का प्रपत्ता आशय एतद्वारा
धोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि
के नीचे पाइप लाईन बिलाने के लिए आक्षेप सक्षम
प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और
देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना
की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करते वाला हर व्यक्ति विनिविष्टः
यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी
मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की
माफत।

अनुसूची

सी.टी.एफ. में जी. जी. एम-1 तक पाईप लाईन
बिलाने के लिए।

राज्य गुजरात जिला खेड़ा तालुका मातर

गांव	सर्वेन.	हे.	आर.	सं.
फटवाश	458	0	02	70
	457	0	02	00
	456/ए	0	02	80
	455/2/ए	0	02	75
	305/4	0	01	85
	305/3	0	02	85

[म. O-12016/24/86-ओ.एन.जी-डी-4]

S.O. 1278.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from CTF to GGS I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from C.T.P. to GGS I.

State : Gujarat District Kheda Taluka Matar.

Village	Block No.	Hectare	Are	Centi are
Kithivada	458	0	02	70
	457	0	02	00
	456/A	0	02	80
	455/2/P	0	02	75
	305/4	0	01	85
	305/3	0	02	85

[No. O-12016/24/86-ONG-D-4]

नई दिल्ली, 16 मार्च, 1986

का. आ. 1279.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि असम राज्य में जे-44 से जे-52 में गेस्टकि जी जी एस-3 नके पेट्रोलियम के परिवहन के लिए पाइप लाइन लैल तथा प्राकृतिक गैस उपयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनडुपोवद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एनड्वारा घोषित किया है।

यथोर्त्वे कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप उपायकल, नियमांग असम के कार्यालय में इस अधिसूचना की तारीख में 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसको मुनाफ़ा व्यवितरण हो या किसी विधि व्यवसायी को मार्फत।

ग्रन्तभूमि

(जे-44 से जे-52 में गेस्टकि जी जी एस-3)

राज्य—असम जिला—शिवमांगर नालूक—आठखेल

गांव	सर्वे नम्बर	हेक्टर	ऐरे	चेतिप्रे
सिमठपूर, ग्रामपट	7/ख	0	27	56
	7/ग	0	9	23
	8/ख	0	0	94
	18/ख	0	0	27

[म. O-12016/3/85-ओएनजे-जे-4]

New Delhi, the 16th March, 1986

S.O. 1279.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from G44 to G-52 to Geleki GGS-3 in Sibsagar Distt., Assam, Pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, viz. the Deputy Commissioner, Sibsagar, Assam.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

[G-44 to G-52 to Geleki GGS-3]

State : Assam Dist. Sibsagar Taluka Athkhel

Village	Survey No.	Hectare	Are	Centiare
1	2	3	4	5
Smithur Grant	7/Kha	0	27	56
	7/Ga	0	9	23
	8/Kha	0	0	94
	18/Kha	0	0	27

[No. O-12016/3/85-ONG-D-4]

का. आ. 1280.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में अठमदाबाद-4 से डब्ल्यू एच आई अटम-8 तक पेट्रोलियम के परिवहन के लिए पाईपलाइन लैल तथा पाकृतिक गैस द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनडुपोवद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का प्रपत्ता आशय एनड्वारा घोषित किया है।

यथोर्त्वे कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, लैल तथा प्राकृतिक गैस उपयोग, निर्माण और देखभाल प्रभाग, मंकरपुरा रोड, बडोदरा-9 की अधिसूचना की तारीख में 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी

सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

पाइप लाइन अहमदाबाद-4 से डल्यू.एच.आई. में अहमदाबाद-18 तक

राज्य :—गुजरात जिला :—अहमदाबाद तालुका :—दशकोई

गांव	सर्वे नम्बर	हेक्टर	आर	सेन्टीआर
गारनटा नगर	185	0	07	00
	195	0	18	60
	188	0	21	09
	193	0	06	00
	194	0	04	95

[सं. O-12016/20/86-ओ.एन.जी.-डी.-4]

S.O. 1280.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from A'bad-4 to WHI A'bad-18 in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Ahmedabad-4 to WHI to Ahmedabad-18

State : Gujarat District : Ahmedabad Taluka Dasraoi

Village	Block No.	Hectare	Arc	Centi are
Garatnagar	185	0	07	00
	195	0	18	60
	188	0	21	09
	193	0	06	00
	194	0	04	95

[No. O-12016/20/86-ONG-D-4]

का. आ. 1281.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस.एम.डी.ए से जी.जी.एस-1 तक पैटोनियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा विछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को विछाने के प्रयोजन के लिये एतदुपावद्ध अनुसूची में विभिन्न भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यतः अब पटोनियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन विछाने के लिए आक्षेप संधम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकता।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दित्तः यह भी कथन करेगा कि क्या वह यह जाहूता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

एस.एम.डी.ए. में जी.जी.एस-1 तक पाइप लाइन विछाने के लिये ।

राज्य—गुजरात जिला—भूच तालुक —दांसोर

गांव	ब्लॉक नं.	हेक्टर	आर	सेन्टीआर
कलम	201	0	06	50
	172	0	17	94
	168	0	13	78
	167	0	05	20

[सं. O-12016/21/86-ओ.एन.जी.-डी.4]

S.O. 1281.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SMDA to GGS I in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Well No. SMDA to GGS I.

State : Gujarat District Bharuch Taluka Hansot.

Village	Survey No.	Hectare	Acre	Centi are
1	2	3	4	5
Kilam	701	0	06	50
	172	0	17	94
	168	0	13	78
	167	0	05	20

[No. O-12016/21/86-ONG-D-4]

का. आ. 1282 :—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 1373 तारीख 7-4-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कूप नं. पी. जे. डी. मे जी. जी. एस. विराज तक पाइपलाइन बिछाने के लिए।

राज्य—गुजरात, जिला—मेहसाना, तालुका—कड़ी

गांव	सर्वे नं.	हे.	आरे.	से.
Nani Kadi	203/2	0	02	95
	203/1	0	11	16

1	2	3	4	5
	203	0	08	85
	180	0	28	14
	181	0	11	02

[सं. O-12016/9/84—प्रोड०]

S.O. 1282.—Whereas by notification of the Government of India in the Ministry of Petroleum S.O. 1373 dated 7-4-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government, vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. VJDA to GGS Viraj

State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hectare	Acre	Centi are
1	2	3	4	5
Nani Kadi	203/2	0	02	95
	203/1	0	11	16
	203	0	08	85
	180	0	28	14
	181	0	11	02

[No. O-12016/9/84 Prod.-1]

का. आ. 1283 :—यस: पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. आ. सं. 1926 तारीख 30-5-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, धोषणा के प्रकाशन की इस तारीख को विहित होगा।

(अनुसूची)

लोहर -आई से डब्ल्यू एच. आई से लोहर - तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाना, तालुका : कडी

गांव	सर्वे नं.	हेक्टर	आरे.	सेन्टीयर
मणीपुर	249	0	06	60
	235	0	13	20

[स. 0-12016/38/84-ओएन जी ऑ-4]

S.O. 1283.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 1926 dated 30-5-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE
Pip. line from Lohur-I To WHI Lohur-I.
State : Gujarat District Mehsana Taluka Kadi.

Villag:	Survey No.	Hectare Are	Centi-are
Manipur	249	0	06 60
	235	0	13 20

[No. O-12016/38/84-ONG-D-4]

का. आ.. सं. 1284---यतः पेट्रोलियम और अनिंज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय की अधिसूचना का. प्रा. सं. 1808 तारीख 10-4-85 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सभी प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन गरजार को रिपोर्ट दे दी है;

... यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है;

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त गविरां का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, धोषणा के प्रकाशन की इस तारीख को विहित होगा।

(अनुसूची)

के-244 से जी. जी. एय - 6 तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात जिला : मेहसाना तालुका : कडी

गांव	सर्वे नं.	हेक्टर	आरे.	सेन्टीयर
चडासना	213	-	0	09 15
	238 / 1	0	15	97
	238 / 2	0	14	40
	237	50	7	75

1	2	3	4	5	1	2	3	4	5
251	0	14	85		314	0	11	40	
काटट्रैक	0	03	75		339	0	16	57	
304	0	13	72		337	0	07	65	
204	0	41	85		343	0	15	15	
319	0	09	67						
318	0	08	55						
317	0	08	40						
316	0	22	95						
314	0	11	40						
339	0	16	57						
337	0	07	65						
343	0	15	15						

[No. O-12016/34/85-ONG-D-4]

P. K. RAJAGOPALAN, Desk Officer

नई दिल्ली, 13 मार्च, 1986

का. आ. 1285:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हज़ीरा-बरेनी से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन गैस ओथोरिटी आफ इंडिया द्वारा बिलाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिलाने के प्रयोजन के लिये एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है;

बिलाने के उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिये आक्षेप सक्षम अधिकारी, तेन तथा प्राकृतिक गैस आयोग, निर्माण और देवभूमि प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिभूतना की तारीख से 21 दिनों के भीतर कर सकेगा;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की भार्फत।

(अनुसूची)

हज़ीरा-बरेनी में जगदीशपुर तक पाइपलाइन बिलाने के लिये
राज्य : गुजरात जिला : पंचमहन नगरको : देव-बड़ोदरा

Village	Survey No.	Hectare	Acre	Centi are	गांव	मर्वेन.	हेक्टर	ओर	सेन्टीयर
1	2	3	4	5	1	2	3	4	5
Chadasana	243	0	09	15	उच्चायण	कोटार	0	12	00
	238/1	0	15	97		125	0	41	00
	238/2	0	14	40		124	0	36	00
	237	0	34	75		109	0	25	00
	251	0	14	85		108	0	43	20
	Cast track	0	03	75		110	0	10	00
	304	0	13	72		111	0	24	00
	204	0	41	85		112/1	0	48	00
	319	0	09	67			0	07	20
	318	0	08	55					
	317	0	08	40					
	316	0	22	95					

[स. O-12016/540/86-मीड]

New Delhi, the 13th March, 1986

S.O. 1285.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Gujarat State pipeline should be laid by the Gas Authority of India.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline From Hazira-Bareilly to Jagdishpur
State: Gujarat District: Panchmahal Taluka: Devgadh
bariya

Village	Survey No.	Hec-tare	Arc	Centi- tiare
UCHVAN	Kotar	0	12	00
	125	0	41	00
	124	0	36	00
	109	0	25	00
	108	0	43	20
	110	0	10	00
	111	0	24	00
	112/1	0	48	00
	Kotar	0	07	10

[No. O-12016/540/86-Prod.]

का. आ. 1286 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजीरा-बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन भैंस और ऑरिंटी श्राफ इण्डिया द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में इतव्य कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हाँ या किसी विधि व्यवसायी की माफत।

अनुमति:

हजीरा से बरेली-जगदीशपुर तक पाइपलाइन बिछाने के लिए

राज्य—गुजरात जिला—पंचमहल तालुका—हालोल

गाँव	गाँव नं.	हेक्टर	आर	मेन्टेनेंस
1	2	3	4	5
आसेन	93/प	0	09	20
	94	0	26	40
	95	0	72	00
	99	0	65	00
	101	0	36	00

[स. O-12016/541/86-प्रोड]

S.O. 1286.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Gujarat State pipeline should be laid by the Oil and Gas Authority of India.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Hazira-Bareilly to Jagdishpur
State: Gujarat District: Panchmahal Taluka: Halol

Village	Survey No.	Hec-tare	Are	Centi- tiare
VASETI	93/P	0	09	20
	94	0	26	40
	95	0	72	00
	99	0	65	00
	101	0	36	00

[No. O-12016/541/86-Prod]

का. ना 1287 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि राजस्थान राज्य में जंक्शन पांट (पी 221) से एन. टी. पी. सी. लोकेशन अन्ता (राजस्थान) तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लिमिटेड, द्वारा बिलाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनोंको बिछाने के प्रयोजन के लिए एक्सप्रोबद्ध अनुसूची में खण्डित भूमि में उपयोग का प्रधिकार अर्जित करना आवश्यक है।

अतः यदि पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शर्कियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का प्रधिकार अर्जित करने का अपना आशय एतद्वारा शोपित किया है।

बताते कि उक्त भूमि में ब्रितवड़ कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लिमिटेड, एच. बी. जे. गैस पाइपलाइन परियोजना 58 बाल मन्दिर, कालोनी, सवाई माधोपुर की इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति निम्निदिष्टतया यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफी।

अनुसूची

विजयपुर (म.प.) से सवाईमाधोपुर (राज.) तक पाइप लाइन बिछाने के लिए राज्य—राजस्थान जिला—कोको तहसील—मांगोल मत नहराल अंका

गाँव	आमरा	हेस्टर	आर	मेट्रोपर
1	2	3	4	5
टारडा	1	0	05	12
	2	0	29	81
	4	0	01	41
	5	0	18	77
	6	0	07	73
	7	0	09	84
	10	0	00	20
	11	0	05	82
	95	0	01	91
	96	0	21	08
	97	0	48	57
	98	0	14	30
	100	0	43	36
	106	0	88	42
	112	0	12	75
	114	0	09	37

1	2	3	4	5
TARDA	1	0	05	12
	2	0	29	81
	4	0	01	41
	5	0	18	77
	6	0	07	73
	7	0	09	84

1	2	3	4	5
115	0	17	11	
116	0	01	23	
117	0	06	62	
118	0	00	20	
123	0	07	95	
129	0	53	61	
192	0	58	40	
193	0	25	05	
213	0	01	98	
214	0	50	31	
215	0	02	99	
216	0	25	88	
219	0	30	51	
221	0	28	36	
223	0	33	37	
224	0	38	24	
248	0	02	41	
318	0	06	57	

[म. O-14016/540/85-जि.पा.]

S.O. 1287.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Junction Point (P 221) to NTPC location at Anta in Rajasthan State pipeline should be laid by the Gas Authority of India Limited.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

Now, therefore in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Limited, HBJ Gas Pipeline Project, 58, Bal Mandir Colony, Sawai Madhopur.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Bijaipur (M.P.) to Sawai Madhopur (Raj.)

State: Rajasthan District: Kota Tehsil Mangrol

Sub. Teh. Anta

Village	Survey No.	Hec-tare	Are	Centiare
1	2	3	4	5
TARDA	1	0	05	12
	2	0	29	81
	4	0	01	41
	5	0	18	77
	6	0	07	73
	7	0	09	84

1	2	3	4	5
10	0	00	20	
11	0	05	82	
95	0	01	91	
96	0	21	08	
97	0	48	57	
98	0	14	30	
100	0	43	86	
106	0	88	42	
112	0	12	75	
114	0	09	37	
115	0	17	11	
116	0	01	25	
117	0	06	62	
118	0	00	20	
123	0	07	95	
129	0	58	61	
192	0	58	40	
193	0	25	05	
213	0	01	78	
214	0	50	31	
215	0	02	99	
216	0	25	88	
219	0	30	51	
221	0	28	36	
223	0	33	37	
224	0	38	24	
248	0	02	41	
818	0	06	57	

[No. O—14016/540/85-G.P.]

का. आ. 1288:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाईन भारतीय गैस प्राधिकरण नि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितशद्द कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्तम प्राधिकारी, भारतीय गैस प्राधिकरण नि. बी-58/बी, अलीगंज, लखनऊ-226 020 या. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा साथी नाम ताला हर डिटिल्डः
यह भी कथन करता कि यह चाहता है कि उम्मी
मुनवाई व्यक्तिगत रूप से हो या किसी विधि अवसायी की
भार्फत।

अनुसूची

हजीरा-बरेली—जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

ज़िला	तहसील	पर्याम	गाँठ	अर्जित संख्या	विवरण		
					मोठ	मोठ	पुलगहना
Jhansi	Moth	Moth	Pulgahna	176	0-50		
				253	0-10		

[सं. O-14016/3/84-जी(०४०)]

S.O. 1288.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hafra-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 3(1) H.B.J. Gas pipeline

Distt.	Tahsil	Pargana	Village	Plot No.	Aera in acres
Jhansi	Moth	Moth	Pulgahna	176	0.50
				253	0.10

[No. O-14016/3/84-G.P.]

का. आ. 1289:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लाकर्डि में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण नि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करके हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछा ने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

हाजिरा—बरेली—जगद्धपुर गैस पाइप लाइन प्रोजेक्टः—

जिला	तहसील परगना ग्राम			गांडा संख्या	अर्जित रकम एकड़ में		
	1	2	3		4	5	6
झांसी	मोठ	मोठ	चिरगाँवखुर्य	276	0 01		
				299	08		
				319	02		

[स. ओ-14016/3/84-ग. प.]

S.O. 1289.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 3(1) H.B.J. Pipeline

Distr	tahsil	Pargana	Village	Plot No.	Area in acres
1	2	3	4	5	6
Jhansi	Moth	Moth	Chirgaon	276	0- 01
			Khurd	299	0- 08
				319	0- 02

[No. O-14016/3/84-G.P.]

का. आ. 1290 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारा-बरेली-जगद्धपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एटद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करके हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछा ने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्टः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

हाजिरा—बरेली—जगद्धपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील परगना ग्राम			गांडा संख्या	अर्जित रकम एकड़ में		विवरण
	1	2	3		4	5	
झांसी	मोठ	मोठ	बरौदा		175	0- 01	

[स. ओ-14016/3/84-ग. प.]

S.O. 1290.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 13(1)H.B.J. Gas pipe line.

Distt.	Tahsil	Pargana	Village	Plot no.	area in acres
Jhansi	Moth	Moth	Baroda	175	0-01

[No. O-14016/3/84-GP]

का. आ. 1291:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पान्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है।

बाश्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, सखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

हजिरा-बरेली-जगदीशपुर गैस पाइप लाइन प्रोजेक्ट :

जिला	तहसील	परगना	ग्राम	गाडा	अधिन
				नंदगांव	रुक्मि

एकड़ में विवरण

स्थान:	मोठ	मोठ	बेलमा	129	0-03
				653	0-02
				697	0-02
				871	0-51

[म. ओ-14016/3/84-जी. पं.]

S.O. 1291.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s. 3(1) H.B.J. Gas Pipe line project.

Distt.	Tahsil	Pargana	village	Plot no.	area in acres
Jhansi	Moth	Moth	Belma	129	0-02
				653	0-02
				797	0-01
				871	0-01

[No. O-14016/3/84 GP]

का. आ. 1292:—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजिरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइप लाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और यतः प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पान्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है।

बाश्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी. 58/बी, अलीगंज, सखनऊ-226 020 यू. पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

हाजिरा—बरेली—जगदीशपुर गैस पाइप लाइन प्रोजेक्ट:

ज़िला	तहसील	परगना	गांठ	अंजित विवरण		
				संख्या	ग्राम	(एकड़ में)
झांसी	मोठ	मोठ	लडावरा	603	0	10
				624	0	02
				633	0	06
				651	0	04
				654	0	04
				653	0	04
				638	0	05

[सं. ओ-14016/3/84-जे.प.]

S.O. 1292.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 3(i) H.B.J. Gas Pipe Line Project.

District	Tahsil	Pargana	Village	Plot No.	area in acres
Jhansi	Moth	Moth	Ladawara	603	0-10
				624	0-02
				633	0-06
				651	0-04
				654	0-04
				653	0-04
				638	0-05

[No. O-14016/3/84-GP]

का. आ. 1293 :—यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हज़ीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए ।

और, यतः, प्रतीत होता है कि ऐसी साइरों को बिछाने के प्रयोजन के लिए एतदुपायम अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है ।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन), अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उस में उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है ।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226 020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा ।

आंव ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट है कि वह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफत ।

अनुसूची

हाजिरा—बरेली—जगदीशपुर गैस पाइप लाइन प्रोजेक्ट:

ज़िला	तहसील	परगना	ग्राम	गांठ	अंजित विवरण
संख्या	ग्राम	ग्राम	एकड़ में		
झांसी	मोठ	मोठ	चक्तोर बेलमा	182	0-01

[सं. ओ-14016/3/84-जे.प.]

S.O. 1293.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 3(i) H.B.J. Gas Pipe Line Project.

Distt.	Tahsil	Pargana	Village	Plot no	area in acres
Jhansi	Moth	Moth	Chak-tore		

Jhansi	Moth	Moth	Chak-tore		
			Belma	182	0-01

[No. O-14016/3/84-GP]

का.आ. 1294.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर.....सक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और, यतः, प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद-द्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज, लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो गया किसी विधि व्यवसायी की माफत।

अनुसूच.

हजीरा-बरेली-जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

फॉर्म	तहसील	परगना	ग्राम	गांठा	अर्जित	विवरण
				संख्या	रकमा	एडमी में
जालान	कांव	कांव	देवनाथ	504	0-01	
						[स. O-14016/315/84-जा.पा]

S.O. 1294.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s. 3(i) H.B.J. Pipe line Project

Distt.	Tahsil	Pargana	Village	Plot no.	area in acres
1	2	3	4	5	6
Jhalaun	Konch	Konch	Deo-gao	504	0-01

[No. O-14016/315/84 GP]

का.आ. 1295.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर.....तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और, यतः, प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद-द्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफत :

अनुसूची

हजीरा बरेली-जगदीशपुर पाइप लाइन प्रोजेक्ट

जिला	परगना	सहसंल	ग्राम	गांठा	लिया	कॉम्प
		वर्तमान	संख्या	गरा	दिवार	रकमा
1	2	3	4	5	6	7
इटाया	इटाया	इटाया	मौला	158	1-00	

[स. O-14016/429/84-जा.पा]

S.O. 1295.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Hazira Bareily Jagdishpur Pipe line Project.

Distt.	Pargana	tahsil	village	plot	area no.	acquired
1	2	3	4	5	6	
Etawah	Auryia	Auriya	Ni	ully	158	1-00

[No. O 14016/429,8-GP]

का. आ. 1296—यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकसंघ में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली जगदीशपुर..... तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिलाई जानी चाहिए।

और, यतः, प्रतीत होता है कि ऐसी लाइनों को बिलाने के प्रयोजन के लिए एतदुपादान ग्रनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, शब्द, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है।

बस्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिलाने के लिए आक्षेप सक्षम प्राधिकारी भारतीय गैस प्राधिकरण लि.बी-58-बी, अलीगंज लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यक्तायी को मार्कंत।

अमुम्बुच्छ/

हजीरा-बरेली-जगदीशपुर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील परिमाण	भाग	भाग	भित्र
जालौन	जालौन जालौन	नियाम-	145	0-10
		पूर्व	146	0-06
[सं. O-14016/188/84 -जा. प.]				

S.O. 1296.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajra-Bareily to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplementary notification u/s 3(i)H.B.J. Gas pipe line Project.

Distt.	Tahsil	pargana	village	plot	area in no.	acres
1	2	3	4	5	6	
Jalaun	Jalaun	Jalaun	Nizam-	145	0-10	
			pur	146	0-06	

[No. O-14016/188/84 GP]

का. आ. 1297—यतः, केन्द्रीय सरकार को यह प्रतीत होता है कि लोकसंघ में यह आवश्यक है कि उत्तर प्रदेश में हजीरा-बरेली-जगदीशपुर..... तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिलाई जानी चाहिए।

और, यतः, प्रतीत होता है कि ऐसी लाइनों को बिलाने के प्रयोजन के लिए एतदुपादान ग्रनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, शब्द, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

हजारीगंज-बरेली-जगदीश्वर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गांठा	अर्जित
जालौन	जालौन	जालौन	एकों	सं.	रक्षा
				(एकड़ में)	

[सं. O-14016/186/84-ज.प.]

S.O. 1297.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Supplimentary notification u/s 3(i)H.B.J. Gas Pipe line project.

Distt. Tehsil Pargana Village Plot no. Area in acres

1	2	3	4	5	6
Jalaun	Jalaun	Jalaun	Akon	525	0-01

[No. O-14016/186/84-GP]

का.आ. 1298:- यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उत्तर प्रदेश में हजारी-बरेली-जगदीश्वर

तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राधिकरण लि. द्वारा बिछाई जानी चाहिए।

और, यतः, प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतत्पुष्पबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आवश्यक एतद्धारा घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, भारतीय गैस प्राधिकरण लि. बी-58/बी, अलीगंज लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

हजारीगंज-बरेली-जगदीश्वर गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गांठा	अर्जित
जालौन	जालौन	जालौन	दौलत	सं.	रक्षा
				(एकड़ में)	
जालौन	जालौन	जालौन	दौलत	354	1-44
			पुर	353	0-02

[सं. O-14016/174/84-ज.प.]

S.O. 1298.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And, whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto:

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

supplementary notification u/s (i) H.B.J. Gas pipe line project.

Distt	Tehsil	Pargana	Village	Plot no.	area in acres
1	2	3	4	5	6
Jalaun	Jalaun	Jalaun	Daulat pur	354 353	1-44 0-02

[No. O-14016/174/84-GP]

का. आ. 1299 :—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि उसर प्रदेश में हजीरा-बरेली-जगदीशपुर तक पेट्रोलियम के परिवहन के लिए पाइपलाइन भारतीय गैस प्राप्तिकरण लि. द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए केन्द्रीय सरकार उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे के पाइप लाइन बिछाने के लिए अक्षेप सक्षम प्राप्तिकारी, भारतीय गैस प्राप्तिकरण लि. बी-58/बी, अलीगंज लखनऊ-226020 यू.पी. को इस अधिसूचना की तारीख से 21 दिन के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथम करेगा कि क्या वह चाहता है कि उसको सुनवाई व्यक्तिगत रूप से हो या किसी व्यवसायी की माफत।

अनुसूची

हजीरा-बरेली-जगदीशपुर पाइप लाइन प्रोजेक्ट

जिला	परगना	तहसील	ग्राम का नाम	गाठा संख्या	लिया गया रकम	विवरण
इटावा	ओरिया औरिया	मेहद	137	1-12		
			4280	1-20		
			3384	0-30		
			3391	0-58		

[सं. O-14016/327/84-जा. प.]

S.O. 1299.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum from Hajira-Bareilly to Jagdishpur in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. H.B.J. Pipeline Project B-58/B, Aliganj Lucknow-226020 (U.P.);

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

Hajira Bareilly Jagdish pur pile line project

SCHEDULE

Distt.	Pargana	Tehsil	Village	Plot no.	Area acquired
1	2	3	4	5	6

Etawah	Auriya	Auriya	Sahud	137 4280 3384 3391	1-12 1-20 0-30 0-58
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[No. O-14016/327/84-G]

का. आ. 1300 :—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजीरा से बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन गैस आपूर्ति आफ इंडिया द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम 'और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए अक्षेप सक्षम प्राप्तिकारी, तेल तथा प्रकृतिक गैस आपोग, निर्माण और देखभाल प्रभाग, मकरंपुरा गाँड, बडोदरा-9 को इस अधिसूचना की तारीख में 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथम करेगा कि क्या वह यह चाहता है कि उसको सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

बनस्तुत्वः

हजरा से बरेली से जगदर्शग पुर तक पाइप लाइन बिछाने के लिये
राज्य—गुजरात जिला-पंचमहल तालुका वेगड़ बारंगा

नाम	सर्वे नं.	हेक्टर	आर	सेंटीयर
चनपुर	27	0	21	60
	29	0	48	00
	31	0	19	00
	32	0	22	00

[सं. O-12016/537/86-प्रोड]

S.O. 1300.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Gujarat State pipeline should be laid by the Gas Authority of India;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDE

Pipeline from Hazira—Bareilly Jagdishpur

State : Gujarat District : Panchmahal taluka : Devgadhabarya

Village	Survey	hectare	Are	centiare
	u.o.			
Chanpur	27	0	21	60
	29	0	48	00
	31	0	19	00
	32	0	22	00

[No. O 12016,537/86-Prod.]

का.आ. 1301—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजरा से बरेली से जगदीशपुर तक पेट्रोलियम के पर्वत वहन के लिये पाइपलाइन गैस आपोरिटी आफ इंडिया द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये पत्रवुपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन) अधिनियम, 1962 (1962

का 50) को धारा 3 की उपलब्धा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आशय एस्ट-ड्राइवर घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सम्म प्राप्ति करी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

बनस्तुत्वः

हजरा से बरेली से जगदीशपुर तक पाइप लाइन बिछाने के लिए राज्य—गुजरात जिला-पंचमहल तालुका-वेगड़-बारंगा

नाम	सर्वे नं.	हेक्टर	आर	सेंटीयर
गर्तड़गा	42	0	05	40
	83	0	21	10
	49/1	0	01	90
	49/2	0	16	50
	49/3	0	12	00
	49/4	0	14	10
	51	0	48	00
	48	0	02	00

[सं. O-12016/538/86-ज. प.]

S.O. 1301.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Gujarat State pipeline should be laid by the Gas Authority of India;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Hazira Bareilly- Jagdishpur
State : Gujarat : District Panchmahal Taluka :
Devgadhbariya

Village	Survey No.	Hectare Area	Centi-are
Ratadiya	42	0 05	40
	83	0 21	10
	49/1	0 01	90
	49/	0 16	50
	49/3	0 12	00
	49/4	0 14	10
	51	0 48	00
	48	0 02	00

[No. O-1.016/538/86-GP]

का.आ. 1302—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकान्वित में यह आवश्यक है कि गुजरात राज्य में हजारा से बरेली से जगदीशपुर तक पेट्रोलियम के परिवहन के लिये पाइपलाइन गैस आपारटी आफ हडिया द्वारा बिछाई जाना चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिश्वास के प्रयोजन के लिये एतद्वापद्ध अनुमति से वर्णित भूमि में उपयोग का अधिकार अंजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अंजन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त अक्षियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंजित करने का अपना आवश्य एतद्वारा घोषित किया है।

बास्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप समझ प्राप्तिकारी, तेल तथा प्रकृतिक गैस आपयोग, निर्माण और देखभाल प्रभाग, भकरपुरा रोड, बडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

धन्यवादः

हजारा से बरेली से जगदीशपुर तथा पाइपलाइन बिछाने के लिए गुजरात बिला-पंचमहल तालुका-लिमदेडा

गाँव	सर्वे नं.	हेक्टर	आर	मेट्रियर
गृह	355	0 16	00	

[सं. O-12016/539/86-जा.पो.]

एस. एस. अ.निवासन, निदेशक (एन जा.)

SO. 1302.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Hajira-Bareilly to Jagdishpur in Gujarat State pipeline should be laid by the Gas Authority of India;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Hazira Bareilly Jagdishpur
State: Gujarat District : Panchmahal Taluka: Limkheda

Village	Survey No.	Hectare Area	Centi-are
RAI	355	0 16	00

[No. O-1.016/539/86-GP]
M.S. SRINIVASAN, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय
(स्वास्थ्य विभाग)

नई दिल्ली, 6 मार्च, 1986

का. आ. 1303:—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 7 की उपधारा (३) के साथ पठित धारा 3 की उपधारा (4) के अनुसरण में ब्रह्मपुर विश्वविद्यालय की सीटेट ने डा. बी. पी. नायक को 29 मार्च, 1985 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59 “एम. आई. (का. आ. 138)” में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अधिनियम की “धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित “शीर्ष के अन्तर्गत क्रम संख्या 39 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी अर्थात्:—

“39 डा. बी. पी. नायक
प्रिसिपल, एम. के. सी. जी. मेडिकल कालेज,
ब्रह्मपुर।”

[संख्या वी. 11013/10/85—एम. ई. (पी.)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 6th March, 1986

S.O. 1303.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of Section 3 read with sub-section (4) of Section 7 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. V. P. Naik has been elected by the members of the Senate of Berhampur University to be a member of the Medical Council of India with effect from the 29th March, 1985;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the then Ministry of Health No. 5-13/39-MI, (S.O. 138) dated the 9th January, 1960, namely:—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3”, for serial number 39 and the entries relating thereto, the following serial number and entries shall be substituted, namely:—

“39. Dr. V. P. Naik,
Principal, M.K.C.G. Medical College,
Berhampur.”

[No. V.11013/10/85 ME(P)]

नई दिल्ली, 13 मार्च, 1986

का. आ. 1304:—भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद उक्त अधिनियम की पहली अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात्:—

उक्त अनुसूची में रास्तीय परीक्षा बोर्ड, नई दिल्ली से संबंधित प्रविष्टियों में “मैम्बरशिप आफ द नेशनल एकादमी आफ मेडिकल साइंसेस, (क्लिनिकल फार्माकालोजी एण्ड थिरेपुटिक्स), एम. एन. ए. एम. ए. स. (क्लिनिक फार्माकालोजी एण्ड थिरेपुटिक्स)”, प्रविष्टि के बाद निम्नलिखित प्राविष्टियाँ रखी जाएंगी अर्थात्:—

“मैम्बरशिप आफ द नेशनल एम. एन. ए. एम. एस. एकादमी आफ मेडिकल साइंसेस (अस्पताल प्रशासन सहित स्वास्थ्य प्रशासन सहित स्थानीय प्रशासन) ”

[सं. V-11017/2/84—एम. ई. (पी.)]

चंद्र भान, अवर सचिव,

New Delhi, the 13th March, 1986

S.O. 1304.—In Exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 ('02 of 1956), the Central Government, after consulting the Medical Council of India,

hereby makes the following further amendments in the First Schedule to the said Act, namely:—

In the said Schedule, in the entries relating to the National Board of Examinations, New Delhi, after the entry Membership of the National Academy of Medical Sciences (Clinical Pharmacology and Therapeutics). M.N.A.M.S. (Clinical Pharmacology and Ther.).”, the following entries shall be inserted, namely:—

Membership of the M. N. A. M. S. (Health) National Academy of Administration including Medical Sciences (Health Administration including Hospital Administration)

[No. V-11017/2/84/ME(P)]

CHANDER BHAN, Under Secy.

इलेक्ट्रॉनिको विभाग

नई दिल्ली, 10 मार्च, 1986

का. आ. 1305:—राजनाया (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उपनियम (4) के अनुसरण में केन्द्रीय सरकार इलेक्ट्रॉनिको विभाग के अन्तर्गत आने वाले इलेक्ट्रॉनिको ट्रेड एण्ड टेक्नोलॉजी डेवलपमेंट कारपोरेशन लिमिटेड (ई.टे.एण्ड टी.डी.) नामक सार्वजनिक क्षेत्र के उपक्रम के नई दिल्ली स्थित मुख्यालय को अधिसूचित करता है, जहाँ के 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है।

[सं. 7 (1) / 82—हि. आ.]

भा. ना. भागवत, संयुक्त सचिव

DEPARTMENT OF ELECTRONICS

New Delhi, the 10th March, 1986

S.O. 1305.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the headquarters of the Electronics Trade & Technology Development Corporation Limited (ET&T), New Delhi, a public sector enterprise of the Department of Electronics, more than 80 per cent staff whereof have acquired working knowledge of Hindi.

B. N. BHAGWAT, Jt. Secy.
[No. 7(1)/82-H.S.]

कृषि मंत्रालय

(कृषि अनुसंधान और शिक्षा विभाग)

(मारकों कृषि अनुसंधान परिषद्)

नई दिल्ली, 10 मार्च, 1986

का. आ. 1306:—भारतीय कृषि अनुसंधान परिषद् द्वारा निर्मित स्थायी वित्त समिति विनियमों के विनियम 2 (4) के अनुसरण में तथा कृषि उत्पाद उपकर प्रधिनियम,

1940 का धारा 7 (2) में निहित प्रावश्यानों के अनुसरण में, श्रेणीवर सभा सभा सदस्य को, जो शासी निकाय के भौतिक सदस्य हैं, इस निकाय द्वारा दिनांक 21-12-85 से एक वर्ष का अवधि हेतु अथवा उस समय तक जब तक कि उत्तराधिकारी का विधिवत् निर्वाचन हो, इनमें से जो भी पहले हो उस समय तक के लिए स्थायी वित्त समिति के सदस्य के रूप में निर्वाचित कर लिया गया है।

[मि. सं. 2 (1)/85—समन्वय-1]

एम. जा. मेनन, अवृत्त सचिव

MINISTRY OF AGRICULTURE

(Department of Agricultural Research and Education)
(Indian Council of Agricultural Research)
New Delhi, the 10th March, 1986

S.O. 1306.—In pursuance of Regulation 2(iv) of the Standing Finance Committee Regulations framed by the Indian Council of Agricultural Research and in pursuance of provision contained in Section 7(2) of the Agricultural Produce Cess Act, 1940, Shri Ranavir Singh, Member Lok Sabha, member of Governing Body has been elected by that body to be member of the Standing Finance Committee for a period of one year with effect from 21-12-1985 or till such time as his successor is duly elected, whichever is later.

[F. No. 2(1)/85-CDN. I]
M. G. MENON, Under Secy.

मानव संसाधन विकास मंत्रालय
(राष्ट्रीय विभाग)
नई दिल्ली, 14 मार्च, 1986

का. आ. 1307.—चलचित्र अधिनियम, 1952 (1952 का 37वां) का धारा 3 का उपधारा (1) चलचित्र (प्रमाणन नियम, 1983) के नियम 3 के साथ पठित द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह निर्देश देते हैं कि कु. ए. एम. नाडकरणी तत्काल से केन्द्रीय प्रमाणन बोर्ड के सदस्य नहीं रहेंगे।

[फाईल सं. 811/3/85 एफ. (मो.)]

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(Department of Culture)
New Delhi, the 14th March, 1986

S.O. 1307.—In exercise of the powers conferred by sub-section (1) of section 3 of the Cinematograph Act, 1952 (37 of 1952) read with rule 3 of the Cinematograph (Certification) Rules, 1983, the Central Government hereby directs that Kum. A. M. Nadkarni will cease to be a member of the Central Board of Film Certification with immediate effect.

[File No. 811/3/85-F(C)]

का. आ. 1308.—चलचित्र अधिनियम, 1952 की धारा 5 (1) और चलचित्र (प्रमाणन) नियम, 1983 के नियम 8 के उपनियम (1) और (2) के साथ पठित नियम 7 के उपनियम (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह निर्देश देते हैं कि

निम्नलिखित व्यक्तियों तत्काल से केन्द्रीय प्रमाणन बोर्ड के बम्बई सलाहकार पैनल के सदस्य नहीं रहेंगे।

1. श्रीमती परसिस कोथवाला
2. श्री प. के. रविन्द्रनाथ

[फाईल सं. 811/2/85-एफ. (सी.)]

इकबाल कुष्ण, अवृत्त सचिव

S.O. 1308.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 7 read with sub-rules (1) and (2) of rule 8 of the Cinematograph (Certification) Rules, 1983, the Central Government hereby directs that the following persons will cease to be members of the Bombay Advisory Panel of the Board of Film Certification with immediate effect.

1. Mrs. Persis Kothwalla
2. Shri P. K. Ravindranath

[File No. 811/2/83-F(C)]

IQBAL KRISHAN, Under Secy.

(अंतरिक्ष विभाग)

बंगलौर, मार्च 17, 1986

का. आ. 1309.—राष्ट्रपति, संविधान के अनुच्छेद, 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अंतरिक्ष विभाग कर्मचारी (वर्गीकरण, नियन्त्रण और अपील) नियम, 1976 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

- (1) इन नियमों का संक्षिप्त नाम अंतरिक्ष विभाग कर्मचारी (वर्गीकरण, नियन्त्रण और अपील) संशोधन नियम, 1986 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
- अंतरिक्ष विभाग कर्मचारी (वर्गीकरण, नियन्त्रण और अपील) नियम, 1976 के अनुसूची में “सहायक नोबन प्रणाली यूनिट (ए. पी. एस. यू.)” शीर्ष के अधीन प्रविष्टियों के लिए, निम्नलिखित प्रविष्टियां प्रतिस्थापित किया जायेगा, अर्थात् :—

1	2	3	4	5
“द्रव नोबन प्रणाली यूनिट (ए. पी. एस. यू.)				

समूह ख

वैज्ञानिक	निदेशक	निदेशक	सभी	अध्यक्ष
और	ए.पी.	ए.पी.एस.		इसरो
सकनीकी	एस.यू.	यू.		
प्रशासनिक/	निदेशक	निदेशक	सभी	अध्यक्ष
अन्य पद	ए.पी.	ए.पी.		इसरो
	एस.यू.	एस.यू.		
समूह ग	प्रधान-का	प्रधान-का.	सभी	निदेशक
	सा.प्र.	सा.प्र.		
	ए.पी.	ए.पी.	ए.पी.	
	एस.यू.	एस.यू.	एस.यू.	

1	2	3	4	5
समूह	प्रश. अ-II	प्रशा. अ-II	सभी	प्रधानक
एल. पी.	एल. पी.		सा. प्र.	
एस. पू.-	एस. पू.-		एल. पी.	
मुख्या	मुख्या		एस. पू.-	
			मुख्या"	

[सं. 2/5/(1)/86-V]

टी. एस. वेंकटरामन, अवर सचिव

टिप्पणः अधिसूचना सं. 2/9(12)/74-III(1) दिनांक 1-4-1976 द्वारा भारत के राजपत्र (असाधारण), भाग-II, खण्ड 3, उपखण्ड (II), दिनांक 1-4-1976 में प्रधान नियम प्रकाशित हुए थे। और तत्पश्चात् निम्न प्रकार संशोधन किए गए :—

क्रम सं.	अधिसूचना सं.	दिनांक
1.	2/10(32)/76-I	10-02-1977
2.	2/10(32)/76-I	16-05-1977
3.	2/10(27)/76-I	01-08-1977
4.	2/7(5)/77-I	15-02-1978
5.	2/7(5)/77-I	27-05-1978
6.	2/9(12)/74-III(I)	16-03-1979
7.	9/4(1)/80-III	26-05-1980
8.	9/4(1)/80-III	26-05-1980
9.	9/4(1)/80-III	05-09-1980
10.	9/4(1)/80-III	13-10-1980
11.	9/4(1)/80-III	13-10-1980
12.	9/4(1)/80-III	20-12-1980
13.	9/4(1)/80-III	20-12-1980
14.	2/8(1)/81-I	28-08-1981
15.	2/8(1)/81-I	16-07-1982
16.	2/9(1)/83-I(V)	29-07-1985
17.	2/5(1)/85-V	02-01-1986
18.	2/9(1)/83-I(V)	02-01-1986

(DEPARTMENT OF SPACE)

Bangalore, March 17, 1986

S.O. 1309.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Department of Space Employees' (Classification, Control and Appeal) Rules, 1976, namely:—

- (1) These rules may be called the Department of Space Employees' (Classification, Control and Appeal) Amendment Rules, 1986.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- In the Schedule to the Department of Space Employees' (Classification, Control & Appeal) Rules, 1976, under the heading "Auxiliary Propulsion Systems Unit (APSU)",

for the entries, the following entries shall be substituted namely:—

1	2	3	4	5
"LIQUID PROPULSION SYSTEMS UNIT (LPSU)				
Group B				
Scientific and Technical Posts	Director LPSU	Director LPSU	All	Chairman ISRO
Administrative/ other Posts	Director LPSU	Director LPSU	All	Chairman ISRO
Group C	Head-PGA LPSU	Head-PGA LPSU	All	Director LPSU
Group D	AO-II LPSU-HQ	AO-II LPSU-HQ	All	Head-PGA LPSU-HQ".

[No.2/5(1)/86-V]
T.S. VENKATARAMAN, Under Secy.

Note:—Principal rules were published vide Notification No. 2/9(12)/74-III(I) dated 1-4-1976 in the Gazette of India (Extraordinary), Part-II, Section 3, Sub-section (ii), dated 1-4-1976 and have been subsequently amended by:—

Sl. No.	Notification	Dated
1.	2/10(32)/76-I	10.02.1977
2.	2/10(32)/76-I	16.05.1977
3.	2/10(27)/76-I	01.08.1977
4.	2/7(5)/77-I	15-02-1978
5.	2/7(5)/77-I	27-05-1978
6.	2/9(12)/74-III(I)	16-03-1979
7.	9/4(1)/80-III	26-05-1980
8.	9/4(1)/80-III	26-05-1980
9.	9/4(1)/80-III	05-09-1980
10.	9/4(1)/80-III	13-10-1980
11.	9/4(1)/80-III	13-10-1980
12.	9/4(1)/80-III	20-12-1980
13.	9/4(1)/80-III	20-12-1980
14.	2/8(1)/81-I	28-08-1981
15.	2/8(1)/81-I	16-07-1982
16.	2/9(1)/83-I(V)	29-07-1985
17.	2/5(1)/85-V	02-01-1986
18.	2/9(1)/83-I(V)	02-01-1986

संचार मंत्रालय

(दूरसंचार विभाग)

मई विलेली, '20 मार्च, 1986

का.आ. 1310:—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय सार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने मूलकी टेलीफोन केंद्र, कनट्रिक में दिनांक 31-3-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-22/86-प्र० एच बी]

MINISTRY OF COMMUNICATIONS
 (Department of Telecommunications)
 New Delhi, the 20th March, 1986

S.O. 1310.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March 1960, the Director General Department of Telecommunications, hereby specifies 31-3-1986 as the date on which the Measured Rate System will be introduced in Mulky Telephone Exchanges, Karnataka Circle.

[No. 5-22/86-PHB]

का.आ. 1310 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने डुमका टेलफोन केन्द्र बिहार, में दिनांक 31-3-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-29/86 पा. एच. ब.]

S.O. 1311.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March 1960, the Director General Department of Telecommunications, hereby specifies 31-3-1986 as the date on which the Measured Rate System will be introduced in Dumka Telephone Exchange, Bihar Circle.

[No. 5-29/86-PHB]

का.आ. 1312 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने महाबलेश्वर तथा कुडाल टेलफोन केन्द्रों, महाराष्ट्र, में दिनांक 31-3-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-27/86 पा.एच.ब.]

S.O. 1312.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March 1960, the Director General Department of Telecommunications, hereby specifies 31-3-1986 as the date on which the Measured Rate System will be introduced in Mahabaleshwar and Kudal Telephone Exchanges, Maharashtra Circle.

[No. 5-27/86-PHB]

का.आ. 1313 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने तिरत्तनी, धोतियम, थायिंगरेट, कप्पुथुर, तिमिर, बाल्लाड; तथा चेन्न-मलाई टेलफोन केन्द्रों, तमில்நாடு, में दिनांक 31-3-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-26/86 पा.एच.ब.]

S.O. 1313.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March 1960, the Director General Department of Telecommunications, hereby specifies 31-3-1986 as

the date on which the Measured Rate System will be introduced in Tiruttani, Thottiam, Thathicengarpet, Kattuputhur, Irumi, Barugur and Chennimalai Telephone Exchanges, Tamil Nadu Circle.

[No. 5-26/86-PHB]

का.आ. 1314 :—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने तलाजा टेलफोन केन्द्र, गुजरात, में दिनांक 31-3-1986 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-14/86-पा. एच. बी.]

के.पा. शर्मा, सहायक महानिदेशक (पा.एच.बी.)

S.O. 1314.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951 as introduced by S.O. No. 627 dated 8th March 1960, the Director General, Department of Telecommunications, hereby specifies 31-3-1986 as the date on which the Measured Rate System will be introduced in Talaja Telephone Exchanges, Gujarat Circle.

[No. 5-14/86-PHB]

K. P. SHARMA, Asstt. Director General (PHB)

श्रम मंत्रालय

नई दिल्ली, 10 मार्च, 1986

का.आ. 1315 :—बीड़ी कर्मकार कल्याण निधि नियम, 1978 के नियम 3 के उप-नियम (2) के साथ पटित कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार 22 दिसम्बर, 1984 के भारत के राजपत्र के भाग 2, खंड 3, उपखंड (ii) में पृष्ठ 2845-2846 पर प्रकाशित अधिसूचना संख्या का.आ. 3039 दिनांक 3/6, सितम्बर, 1984 में निम्नलिखित संशोधन करती है।

उल्लिखित अधिसूचना में कम से 10 और पैरा 2 के सापेक्ष निम्नलिखित रखा जाये, अर्थात् :—

10. कल्याण प्रशासक,

अहमदाबाद, गुजरात।

2. नियम 16 के तहत उल्लिखित नियमों के अनुसार केन्द्रीय सरकार अहमदाबाद को उक्त समिति का मुख्यालय निर्धारित करती है।

[सं. यू-19012/1/84-कल्याण-2]

MINISTRY OF LABOUR

New Delhi, the 10th March, 1986

S.O. 1315.—In exercise of the powers conferred by Section 5 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976) read with sub-rule (2) of Rule 3 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby makes the following amendment in the Notification No. S.O. 3039 dated 3rd/6th September, 1984 published at pages 2845-46 of part II Section 3 sub-section (ii) of the Gazette of India dated 22nd September, 1984.

In the said Notification, against serial number 10 and in para 2, the following shall be substituted namely :—

10. Welfare Administrator Ahmedabad, Gujarat.

2. Under rule 16 of the said rules, the Central Government hereby fixes Ahmedabad to be the headquarters of the said Committee.

[No. U-19012/1/84-W. II]

का. आ. 1316. चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि नियम, 1973 के नियम 3 के उपनियम (2) के साथ पठित, चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, राजस्थान राज्य के लिये सलाहकार समिति गठित करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :—

1. श्रम भंडी राजस्थान।	प्रध्यक्ष
2. कल्याण आयुक्त श्रम कल्याण संगठन, भीलवाड़ा।	उपाध्यक्ष (पदेन)
3. प्रावेशिक श्रम आयुक्त (केन्द्रीय) अजमेर	केन्द्र सरकार का प्रति- निधि (पदेन)
4. श्री भैस्लाल मीणा, सदस्य, राजस्थान विधान सभा, कमरा नं. 4, धाराई जी की हवेली, हवामहल, जयपुर	सदस्य
5. श्री एस. आर. नेवटिया, चीफ एज्यूक्यूटिव, उदयपुर सीमेंट बर्केंस, उदयपुर	।
6. श्री एम. एम. गोस्वामी, वाईस प्रेसीडेंट, बिड़ला सीमेंट वर्क्स, चित्तोड़गढ़	। नियोजकों के प्रतिनिधि
7. जनरल सैक्रेटरी, राष्ट्रीय मजदूर संघ, रामगंज, मण्डी (राजस्थान)	।
8. श्री शम्भूसिंह खेमेसरा, प्रतिनिधि भारतीय मजदूर संघ, कीर्ति होटल के पास, उदयपुर, राजस्थान।	। नियोजितों के प्रतिनिधि
9. कुमारी गिरीजा व्यास, सदस्य, राजस्थान विधान सभा, 3/4; विधायकनगर, जयपुर।	महिला प्रतिनिधि
10. कल्याण प्रशासक, भीलवाड़ा।	सदस्य सचिव
2. चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि नियम, 1973 के नियम 18 के अनुसार केन्द्रीय सरकार उपर्युक्त सलाहकार समिति का मुख्यालय भीलवाड़ा निर्धारित करती है।	

[सं. यू-19012/4/85-कल्याण-2]

S.C. 1316.—In exercise of the power conferred by section 6 of the Limestone & Dolomite Mines labour Welfare Fund Act, 1972 (62 of 1972) read with sub-rule (2) of the rule 3 and rule 18 of the Limestone & Dolomite Mines Labour Welfare Fund Rules, 1973, the

Central Government hereby constitutes an Advisory Committee for the State of Rajasthan consisting of the following members, namely :—

1. Minister of Labour, Rajasthan —Chairman
2. Welfare Commissioner, Labour Welfare Organisation, Ex-officio Bhilwara. —Vice-Chairman
3. Regional Labour Commissioner, Central Govt. (Central), Ajmer Representative, Ex-officio.
4. Shri Bhairulal Meena, Member of Legislative Assembly of Rajasthan, Room No. 4 Haveli Dhabhaiji, Havamahal, Jaipur.
5. Shri S.R. Novatiya, Chief Executive, Udaipur Cement Works, Udaipur. —Employees' Representative
6. Shri M.M. Goswami, Vice President, Birla Cement Works, Chittoorgarh —do-
7. General Secretary, Rashtriya Mazdoor Sangh, Ramganj, Mandi, Rajasthan. —Employees' Representative
8. Shri Sambhusingh Khamesara, Representative, Bhartiya Mazdoor Sangh, Near Kirti Hotel, Udaipur, Rajasthan. —do-
9. Kumari Girija Vyas, M.L.A., 3/4, Vidhayak Nagar, Jaipur. —Women's Representative
10. Welfare Administrator, Bhilwara Member Secretary

2. The headquarters of the said Advisory Committee shall be at Bhilwara.

[F. No. U-19012/4/85-W.II]

का. आ. 1317. चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि नियम, 1973 के नियम 3 के उपनियम (2) के साथ पठित चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय

सरकार बिहार राज्य के लिये सलाहकार समिति गठित करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :—

1. राज्य मंत्री, अध्यक्ष
श्रम, नियोजन एवं प्रशिक्षण,
पटना, बिहार।
2. कल्याण आयुक्त, उपाध्यक्ष (पदेन)
चूना पत्थर और डोलोमाइट
खान श्रम कल्याण संगठन,
करमा, पो.ओ. क्षमरीतलैया,
जिला हजारीबाग, बिहार।
3. सहायक श्रम आयुक्त (केन्द्रीय) सदस्य केन्द्रीय सरकार
(पदेन) का प्रतिनिधि
4. श्री खालदि अनवर अंसारी,
सख्स्य विधान सभा,
डिहरी ओर-सोन,
जिला रोहतास।
5. अध्यक्ष, सह-प्रबंध निदेशक,
बिहार राज्य खनिज विकास
निगम, मेन रोड, रांची (बिहार)
6. महा प्रबंधक,
खेलारी सीमेंट फैक्टरी,
पो.ओ. खेलारी, जिला रांची,
(बिहार)
7. श्री सुवंश झा,
अध्यक्ष,
खेलारी सीमेंट वर्कर्स यूनियन
(इन्टक),
पो.ओ. खेलारी, जिला रांची
8. श्री जगनारायण पाठक,
अध्यक्ष,
जपला लेबर यूनियन (इन्टक)
डाकघर जपला, सीमेंट फैक्टरी,
जिला पलामू (बिहार)
9. श्रीमती बनारसी देवी गुप्ता,
ग्राम एवं पो.ओ. सरैया,
जिला, भोजपुर।
10. कल्याण प्रशासक, करमा, सचिव
जिला हजारीबाग (बिहार)

2. चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि निगम, 1973 के नियम 18 के अनुसार केन्द्रीय सरकार उक्त सलाहकार समिति का मुख्यालय पटना निर्धारित करती है।

[सं. यू-19012/23/84-कल्याण-2]
एस. एस. भला, अवर सचिव

S. O. 1317.—In exercise of the powers conferred by section 6 of the Limestone & Dolomite Mines Labour Welfare Fund Act, 1971 (6^o of 1971) read with sub-rule (3) of rule 3 and rule 18 of the Limestone & Dolomite

Mines Labour Welfare Fund Rules, 1973, the Central Government hereby constitutes an Advisory Committee for the Limestone & Dolomite Mines Labour Welfare Fund for the state of Bihar consisting of the following members, namely :—

1. Minister of State, Chairman
Ministry of Labour Employment &
Training,
Patna,
Bihar.
2. Welfare Commissioner, Vice-Chairman
Limestone & Dolomite Mines Ex-officio
Labour Welfare Organisation,
KARMA
Bihar.
3. Assistant Labour Commissioner Central Govt.
(Central) Representative
Ex-officio.
4. Shri Khaldi Anwar Ansari, M.L.A. Bihar.
Member of Legislative Assembly
Bihar, Dihari Our-Soun, Dist.
Rohitas.
5. President, Assistant Managing Director, Employers' Re-
Bihar State Mineral Development Ccrpn. Mena Road, presentives.
Ranchi.
Bihar.
6. General Manager, Khelari Cement Factory, P.O. Khelari, Distt. Ranchi, Bihar.
7. Shri Suvasha Jha, President, Khelari Cement Works Union (INTUC), P.C. Khelari, Distt. Ranchi, Bihar.
8. Sh. Jagannayan Pathak, President, Japala Labour Union (INTUC) P.C. Japala, Cement Factory, Distt. Palamu, Bihar.
9. Smt. Banarasi Devi Gupta, Women Representative.
Village & P.O. Saraiya, Distt. Bhojpur, Bihar.
10. Welfare Administrator, KARMA, Secretary.
Distt. Hazaribagh, Bihar.

2. The Headquarters of the said Advisory Committee shall be at Patna, Bihar.

[No. U-1901 /23/84-W-II]
S. S. BHALLA, Under Secy.

नई दिल्ली, 11 मार्च, 1986

का.आ. :- 1318 मैसर्ट इण्डियन एक्सप्रेस (मदुराई) प्राइवेट लिमिटेड 137 कामराजार रोड मदुराई तमिलनाडु (टी.एन./8486) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकोण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2ब) के अधीन छूट दिये जाने के लिये आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के नियमित कर्मचारी, किसी पथक अभिदाय या प्रीमियम का संदाय किये बिना ही, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिये ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निष्क्रेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की ध.रा 17 की उपध.रा (2ब) द्वारा प्रदत्त शर्कियों का प्रयोग करते हुए और इससे उपावढ़ अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन के नियमित कर्मचारियों की तीन वर्ष की अवधि के लिये उक्त स्कीम के सभी उपबन्धों के प्रवर्तन में छुट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रदेशिक भविष्य निधि आयुक्त तमिलनाडु को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिये ऐसी सुविधायें प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की ध.रा 17 की उपध.रा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना विवरणियों का प्रस्ताव किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी घट्यों का वहत नियोजक द्वारा किया जायेगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति, तथा कर्मचारियों की बहुसंख्या की भवा में उसकी मरुत्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम, के अधीन छूट प्राप्त फ.सी. स्थापन को भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तरन्त दर्ज करेगा और उसकी वाबत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम को संदाय करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में सम्मिलित रूप से बढ़ाये की व्यवस्था करेगा जिससे कि कर्मचारियों के लिये सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रदेशिक भविष्य निधि आयुक्त तमिलनाडु के पूर्व अनुमोदन के बिना नहीं किया जायेगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पढ़ने की संभावना हो, वहाँ प्रदेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का उक्तिकृत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी भ.रतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त हीले वाले फायदे किसी रीत से कम हो जाते हैं, तो यह रह की जा सकती है।

10. यदि किसी कारणवश, नियोजक इस नियत तारीख के भीतर, जो भ.रतीय जीवन बीमा नियम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवस्था की जाने दिया जाता है, तो, छूट रह की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किये गये किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम निर्देशितीय, विधिक वारिसों को जो यदि यह छूट न हो गई होतो तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हृकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा नियम से बीमाकृत रकम प्राप्त होने के एक भास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/96/86-एस०-२]

New Delhi, the 11th March, 1986

S.O. 1318.—Whereas Messrs Indian Express (Madurai) Private Limited, 137-Kamarajar Road, Madurai (Tamil Nadu) (TN/8486) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2B) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act) :

And whereas, the Central Government is satisfied that the regular employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme) ;

Now, therefore, in exercise of the powers conferred by sub-section (2B) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the regular employees of the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that

would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014(96)/86-SS-III]

का०आ० 1319.—मैसर्स, वी इण्डियन एंड क्लोरिंग कम्पनी लिमिटेड, पेनेसीसीन फट्टी, पौ०आ० पिपरी, पै०-410118, (एम०आ०/3762) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिये जाने के लिये आवेदन किया है;

और केन्द्रीय सरकार का सम्मान हो गया है ति उक्त स्थापन के कर्मचारी किसी पथक अभिदाय या प्रीतियम का संदाय किये बिना ही, भारतीय जीवन बीमा नियम की जीवन बीमा स्कीम की सामिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो कायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन कायदों से अधिक अनकल हैं जो उन्हें कर्मचारी नियम सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अन्तर्भूत हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रकृत शक्तियों का प्रयोग व्यती हुए और भारत सरकार के श्रम मंत्रालय की अधिसंघन राण्डा का०आ० 3141 तारीख 17-8-1982 के अन्तर्गत में अंग इससे उपाध्य अनुसूची में विनिविष्ट शतों के अधीन रहते हुए, उक्त स्थापन को, 4-9-1985 से सीन वर्ष का अवधि के लिये जिसमें 3-9-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजन प्रादेशिक भविष्य निधि आयुक्त पूर्णे को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिये ऐसी सविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की द्वारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी घटयों का उक्त नियोजक द्वारा किया जायेगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम त्रैरक्ष दर्ज करेगा और उसकी बावत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दर्भ करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध कर्यदार वड़ाये जाते हैं, तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समूचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुग्रहीत हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्देश रकम उस रकम से कम है जो कर्मचारी की उस दाग में सन्देश होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त पूर्णे के पूर्व अनुमोदन के बिना नहीं किया जायेगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रावेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने

से पूर्व कर्मचारियों को अपना दृष्टिकोण स्थाप्त करने का युक्तिगृहीत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या, इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का संदाय करने में असफल रहता है, और वालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम सन्दाय में किये गये किसी व्यतिक्रम की दशा में, उन मूल सदस्यों के नाम-निर्देशितीयों या विधिक वारिसों को जो यदि यह छूट ना दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नाम निर्देशितीय/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दाग में हर प्रकार से पूर्ण दावे को प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[सं.प्र.35014/203/82-प्र०एफ०-2 एस०एस०-2]

S.O. 13-9.—Whereas Messrs The Indian Cord Clothing Company Ltd. Penicilin Factory, P.O. Pimpri, Poona 411018 (MH/3762) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3141 dated the 17-8-1982 and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 4-9-1985 upto and inclusive of 3-9-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Poona, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Poona and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/203/82-PF-II (SS-II)]

का. आ. 1320:—मैसर्स जयहिंद इन्डस्ट्रीज लि., वाम्बे-पूर्णे रोड, अकुरड़ी, पूर्णे-411035 (एम. एच./7319) (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समझान हो गया है नि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदारण या प्राप्तियां का सन्दर्भ किए बिना है, भारतीय जन्मन वामा नियम का जन्मन वामा स्कॉम को सामूहिक वामा स्कॉम के अधिन जन्मन वामा के रूप में जो कायदा उद्योग रखे हैं वे ऐसे कर्मचारियों को उन कायदों से अधिक अनुसूत हैं जो उन्हें कर्मचार नियेप सहबद्ध वामा स्कॉम, 1976 (जिसे इसमें इसके परवारे उक्त स्कॉम कहा गया है) के प्रवन अनुजेव हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त जक्षियों का प्रयोग करते हुए और भारत सरकार के अम मंत्रालय को अनुसूतवाम संज्ञा का, आ. 3142 तारीख 17-8-1982 के अनुसरण में और उक्ते उपायद्वय अनुसूता में विनिश्चित शर्तों के अधीन रहते हुए, उक्त स्थापन का, 4-9-1985 से तन वर्ष को अवधि के लिए जिसमें 3-9-1988 भास समिनित है, उक्त स्कॉम के सभी उपबन्धों के प्रश्नतंत्र से छूट देती है।

अनुसूतवाम

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादिशिक भविष्य निधि आयुक्त पूर्णे को ऐसे विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरक्षण के लिए ऐसे सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजन, ऐसे निरक्षण प्रभारों का प्रत्येक मास का समाप्ति के 15 दिन के भातर सन्दर्भ करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक वामा स्कॉम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, वामा प्राप्तियम का संदाय, लेखाओं का अन्तरण, निरक्षण प्रभारों का संदाय आदि भास लेखाओं वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजन, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक वामा स्कॉम के नियर्णों का एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन का प्रति तथा कर्मचारियों को बहुसंज्ञा का भाषा में उसका मुख्य बातों का अनुवाद, स्थापन के सूचनान्वय पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहुंचे है, सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक वामा स्कॉम के सदस्य के रूप में उसका नाम तुल्त वर्ज करेगा और उसकी वाबत् अवश्यक प्राप्तियम भारतीय जन्मन वामा नियम को संकर करेगा।

6. यदि सामूहिक वामा स्कॉम के अधीन कर्मचारियों को उपलब्ध फायदे बायाये जाते हैं, तो, नियोजक उक्त स्कॉम के अधीन कर्मचारियों को उपलब्ध फायदों में समुक्ति रूप से वृद्धि को जाने को व्यवस्था करेगा जिस से कि कर्मचारियों

के लिए सामूहिक बमा स्कम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कम के अधीन अनुज्ञेय हैं।

7. सामूहिक बमा स्कम में किसी बात के होते हुए भी, यदि किस कर्मचार का मृत्यु पर इस स्कम के अधीन संदिय रकम उस रकम से कम है जो कर्मचार को उस दशा में संदिय हात जब वह उक्त स्कम के अधीन होता तो, नियोजिक कर्मचार के विधिक वारिस/नाम निर्देशित को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक स्कम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त पूणे के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो थी हो, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचार, भारत य जवन बमा निगम को उस सामूहिक बमा स्कम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कम के अधीन बर्मचारियों को प्राप्त होने वाले फायदे किस राति से कम हो जाते हैं, तो यह छूट रद्द को जा सकता है।

10. यदि किसी कारणवश, नियोजिक भारतीय जंबन बमा निगम द्वारा नियत तारख के भावतर प्रमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है तो छूट रद्द को जा सकता है।

11. नियोजिक द्वारा प्रमियम के संदाय में किए गए किसी व्यक्तिक्रम का दण में, उन मूल सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होता तो उक्त स्कम के अन्तर्गत होते, बमा फायदों के संदाय का उत्तरदायित्व नियोजिक पर होगा।

12. इस स्कम के अधीन आने वाले किसी सवस्य के मृत्यु होने पर भारतीय जंबन बमा निगम, बंमाकृत राशि के हकदार नाम निर्देशित/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे को प्राप्ति के एक भास के भावतर सुनिश्चित करेगा।

[सं. एस-35014/205/82-पी, एफ. 2(एस.एस.2)]

S.O. 1320.—Whereas Messrs Jayhind Industries Limited, Bombay—Pune Road, Akard, Pune-411035 (MH/7319) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable

able to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3142 dated the 17-8-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 4-9-1985 upto and inclusive of the 3-9-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Pune, and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Pune and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/205/82-PF. II (SS-II)]

का.आ. 1321 :—मैसर्स रेनबक्से लैबोरेट्रीज टिमिटेड, ओखला, नई दिल्ली-110020 (डी. एल./682) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रेण्ठ उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) को धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारों किसी पृथक अभिनियम का संदाय किए बिना हो, भारतीय जीवन बीमा नियम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हे कर्मचारी निषेप सह-वाल बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् स्कीम कहा गया है) के अधीन अनुज्ञेय हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मन्त्रालय की अधिसूचना संख्या का. आ. 3344 तारीख 30-8-1982 के अनुसरण में और इससे उपावर्द्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 18-9-1985 से तोन वर्ष की अवधि के लिए जिसमें 17-9-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देता है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त देहली को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरोक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरोक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिने भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के अण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्राप्तियम का संदाय, लेखाओं का अन्तरण, निरोक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों को एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रवर्णित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है उसके स्थापन में नियोजित किया जाता है तो नियोजक नामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरत दर्ज करेगा और उसकी बाज़त भावशक प्रीमियम भारतीय जीवन बीमा नियम को सन्दर्भ करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाने हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समन्वित रूप से वृद्धि को जाने को व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए, भी, यदि किसी कर्मचारी को मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस बात में संदेय होती जब वह उक्त स्कीम के अधीन होता ही, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त दिल्ली के पूर्व अनुमोदित के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ते को संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदित देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्ति-युक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम को उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रौति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा नियम द्वारा नियत तारीख के भीतर प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम को वाता में, उन मूल सदस्यों के नाम-निर्देशितों या विधिक वारिसों को जो यदि यह, छूट न हो गई होती तो उक्त स्कीम के अन्तर्गत होती, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम, बोमाकृत राशि के हकदार नाम निर्देशितों/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक वाता में हर प्रकार से पूर्ण धावे को प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[सं. एस-35014/216/82-प्र. एफ.-2 (एस. एस.-2)]

S.O. 1321.—Whereas Messrs Ranbaxy Laboratories Limited Okhla, New Delhi-110020 (DL/682) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3344 dated the 30-8-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 18-9-1985 upto and inclusive of the 17-9-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already

adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/216/82-PF. II (SS-II)]

का. आ. 1322.—मैसर्स एन. पी. एसवेस्टोस सिर्मेंट पाइप कम्पनी 30 गांधा कालीनी, इन्डौर-4520004 (म. प्र.) (एम. पी./2344) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारों भविष्य निधि और प्रकर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) को धारा 17 को उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारों किसी पृथक् अभिवाय या प्रभिवाय का संदाय किए बिना हो, भारतीय जेवन बेमा नियम को जेवन बेमा स्कीम को सामूहिक बेमा स्कीम के अधीन जेवन देमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारों निक्षेप सहबद्ध बेमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 को उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय सरकार के अम मंत्रालय की अधिसूचना संख्या का. आ. 3948 तारेख 8-11-1982 के अनुसरण में और इससे उपबद्ध अनुमूलों में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 27-11-1985 से तीन वर्ष का अवधि के लिए जिसमें 26-11-1988 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरेक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरेक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय

सरकार, उक्त अधिनियम को धारा 17 की उप-धारा (3क) के खण्ड (क) के अधेन समय-समय पर तिरिष्ट करे।

3. सामूहिक बोमा स्कैम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बोमा प्रेमियम का संदाय, लेखाओं का अन्तरण, निरक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बोमा स्कैम के नियमों को एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति स्थान कर्मचारियों को बहुसंख्या को भाषा में उसके मुख्य बातों का अनुबाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन का भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बोमा स्कैम के संवय के रूप में उसका नाम तुरन्त दर्ज करेगा और उसको बाबत आवश्यक प्रेमियम भारतीय जीवन बोमा निगम को संदर्भ करेगा।

6. यदि सामूहिक बोमा स्कैम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कैम के अधीन कर्मचारियों को उपलब्ध फायदों में सनुचित रूप से वृद्धि की जाने की अवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बोमा स्कैम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कैम के अधीन अनुकूल हैं।

7. सामूहिक बोमा स्कैम में किसी बात के होने द्वारा भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कैम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होता जब वह उक्त स्कैम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिमानाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक स्कैम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, मध्य प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किस संशोधन से कर्मचारियों के हित पर प्रतिशूल प्रभाव पड़ने के संभवन हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बोमा निगम को उस सामूहिक बोमा स्कैम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कैम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रेति से कम हो जाते हैं, तो यह छूट रह, की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बोमा निगम द्वारा नियन तारेख के सेतर प्रेमियम का मंदाय करने में अमर्कद रहता है, और पनिसे की व्ययगत हो जाने किया जाता है तो छूट रह, की जा सकती है।

11. नियोजक द्वारा प्रेमियम के मनदाय में किए गए किसी व्यक्तिक्रम की दशा में, उन मूल सदस्यों के नाम-निर्देशितों या विधिक वारिमों को जो यदि यह, छूट न दी गई होते तो उक्त स्कैम के अन्तर्गत होते, बोमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होता।

12. इस स्कैम के अधीन आये वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बोमा निगम, बांग्लादेश राजि के हकदार नाम निर्देशित/विधिक वारिमों को उस राजि का संदाय तत्पत्ता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे का प्राप्ति के एक मास के बेतर मुनिश्चित करेगा।

[सं. एस-35014/223/32-प्र. एफ.-2 (एस. एस-2)]

S.O. 1322.—Whereas Messrs M. P. Asbestos Cement Pipe Company, Godha Colony, Indore-452004 (M.P.) (M.P./2344) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of the India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3948 dated the 8-11-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 27-11-1985 upto and inclusive of the 26-11-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner Madhya Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charge as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme; shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/223/82-PF. II (SS-II)]

का.पा. 1323 :—मैसर्ज जिला सहकारी केन्द्रीय बैंक मर्यादित, सदर बाजार, बीरेना, मध्य प्रदेश (एम. पी. 1091) (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकोण उपग्रन्थ अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का संबाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहा है वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त गतियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 3950 तारीख 8-11-1982 के अनुसरण में

और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 27-11-1985 से तीन वर्ष को अवधि के लिए जिसमें 26-11-1988 में सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त मध्य प्रदेश को ऐसों विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसों सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रेमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों को एक प्रति, और जब कभी उनमें संशोधन किया जाए, जब उस संशोधन की प्रति तथा कर्मचारियों को बहुसंख्या को भाषा में उसके मुद्द्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि के पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बावजूद आवश्यक प्रेमियम भारतीय जीवन बीमा निगम को संदाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बड़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संवेद्य रकम उस रकम से कम है जो कर्मचारी की उस दशा में संदेश होता; जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, मध्य प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तिपूर्ण अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी भारतीय जीवन बेंमा निगम को उस सामूहिक बेंमा रक्म के, जिसे स्थापन पहले अपना चुका है अधेन नहीं रह जाते हैं, या इस स्कीम के अधेन कर्मचारियों को प्राप्त होने वाले फायदे किसी रूप से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बेंमा निगम द्वारा नियत तारख के भूतर प्रमियम का मंदाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होते तो उक्त स्कीम के अन्तर्गत होते, बेंमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधेन आने वाले किसी मद्दत के मृत्यु होने पर भारतीय जीवन बेंमा निगम, बेंमा कृत राशि के हकदार नाम निर्देशित/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भूतर सुनिश्चित करेगा।

[सं. एस-35014/242/82-प्र. एफ.-2(एस. एस.-2)]

S.O. 1323.—Whereas Messrs Jila Sahakari Kendriya Bank Maryadil, Sadar Bazar, Morena, Madhya Pradesh (M.P./1091) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3950 dated the 8-11-1982 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 27-11-1985 upto and inclusive of the 26-11-1988.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner Madhya Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

नई विल्ली, 12 मार्च, 1986

का. आ. 1324.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एवं उक्त दिन 16 मार्च, 1986 को उस तारीख के रूप में निपत्त करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उपधारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध मध्य प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“ग्रालियर की विस्तारित
म्युनिसिपल सीमाओं के
अंतर्गत आने वाले क्षेत्र।”

[संलग्न एस-38013/8/86-एस.एस. 1]

New Delhi, the 12th March, 1986

S.O. 1324.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 16th March, 1986 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Madhya Pradesh namely:—

“The areas comprised within the extended Municipal limits of Gwalior.”

[No. S-38013/8/86-SS-1]

नई विल्ली, 13 मार्च, 1986

का.आ. 1325:—मैसर्स एम.पी. स्टेट ट्रॉफिजम इवेलपमेंट कारपोरेशन लिमिटेड, 5वीं भंजिल, गंगोत्री कम्प्लेक्स, टी.टी. नगर, भोपाल, (एम.पी./3802), (जिसे इसके पश्चात् उक्त स्थ.पन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) को धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थ.पन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भ.रतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फ़ायदे उठा रहे हैं और ऐसे कर्मचारियों के लिये ये फ़ायदे उन फ़ायदों से अधिक अनुकूल हैं, जो कर्मचारी निक्षेप सह-बढ़ बीमा स्कीम, 1976 (जिसे इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुग्रह है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपावड़ अनुसूची में विनिर्दिष्ट शर्तों के

अधीन रहते हुए उक्त स्थ.पन को तीन वर्ष का अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थ.पन के संबंध में नियोजक प्र.देशिक भविष्य निधि आयुक्त, मध्य प्रदेश को ऐसी विवरणियों भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधा एवं प्रदान करेगा जो केन्द्रीय सरकार, समय समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभ.रों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करें।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेख.ओं का रखा जाना विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संदाय, लेख.ओं का अंतरण, निरीक्षण प्रभ.रों का संदाय आदि भी है, होने वाले सभी व्यवहारों का यहां नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अन्मोर्दित बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भ.पा. में उसकी मूल्य बातों का अन्वाद, स्थापन के सूचना-पट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्र.प्त किसी स्थ.पन की भविष्य निधि का पहले ही संस्करण है, उसके स्थ.पन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम सुरक्षा दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भ.रतीय जीवन बीमा निगम को संक्ष प करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फ़ायदे बढ़ाए जाते हैं, तो नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को अपलब्ध फ़ायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फ़ायदे उन फ़ायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुग्रह हैं।

7. सामूहिक बीमा स्कीम में किसी बाल के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अए संदेश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश होती, जब वह उक्त स्कीम वो अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के अंतर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुश्वत मध्य प्रदेश के पूर्व

अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संस्थाधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभवता हो वहाँ, प्रदेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थ.पन के कर्मचारी, भ.रतीय जीवन बीमा नियम को उस समूहिक बीमा रकीम के, जिसे स्थ.पन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्र.प्त होने वाले फ.यदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भ.रतीय जीवन बीमा नियम द्व.रा नियत तारीख के भीतर प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवस्था हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्व.रा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मूल-सदस्यों के नामनिर्देशितीं या विधिक वारिसों को जो यदि यह छूट न दी गई होतों तो उक्त स्कीम के अंतर्गत होते, बीमा फ.यदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस रकीम के अधीन आने वाले किसी सदस्य को मृत्यु होने पर भ.रतीय जीवन बीमा नियम, बीमाकृत राशि के हकदार नामनिर्देशी/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्रति के एक मात्र के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/83/86 एस.एस 4]

ए.के. भट्टराई, अवर सचिव

New Delhi, the 13th March, 1986

S.O. 1325.—Whereas Messrs. M.P. State Tourism Development Corporation Limited 5th floor Gangotri Complex, T.T. Nagar, Bhopal (M.P./3802), (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh Maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay the necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employee of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014(83)/86-SS-II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 12 मार्च, 1986

का. आ. 1326:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वरण में, केन्द्रीय सरकार, मैसर्स इस्टर्न कोलफील्ड्स लिमिटेड के चपरपुर-I कोलियरी के प्रबंधतान से सम्बद्ध नियोजकों और उनके

कर्मकारों के बीच, अनुबंध में लिंडिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, नं. 2 के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-3-1986 को प्राप्त हुआ था। ।

New Delhi, the 12th March, 1986

S.O. 1326.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chapapur—I Colliery of Messrs Eastern Coalfields Limited and their workmen, which was received by the Central Government on the 10th March, 1986.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 27 of 1985

In the matter of Industrial Disputes under Section 10(1)-(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of Chapapur—I Colliery of Messrs. Eastern Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the employers—Shri R. S. Murthy, Advocate.

On behalf of the workmen—Shri S. Bose, Secretary, RCMS Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 27th February, 1986

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(357)/84-D.III(A), dated, the 19th March, 1985.

SCHEDULE

"Whether the action of the management of Chapapur—I Colliery of Messrs. Eastern Coalfields Limited, Nirsha Area in not allowing Shri Trinath Sethi, O.B.R. to resume duty is justified? If not, to what relief is the workman entitled?"

In this case both the parties filed their respective W.S. Thereafter several adjournments were granted to the parties for filing settlement. Ultimately on 21-1-86 Shri R. S. Murthy, Advocate for the employers appeared before me and filed a memorandum of settlement. I find that the terms of settlement are fair and proper and beneficial to both the parties. Accordingly I accept the same and pass an award in terms of the memorandum of settlement which forms part of the Award as Annexure.

Dt : 27-2-86.

I. N. SINHA, Presiding Officer
[No. L-20012/357/84-D.III-(A)]

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 DHANBAD

In the Matter of Reference No. 27 of 1985

PARTIES :

Employers in relation to the Management of Chapapur—I Colliery of Eastern Coalfields Ltd., PO : Mugma, Dt : Dhanbad.

AND

Their Workmen

Joint Petition of Employers and Workmen for Compromise

The abovementioned employers and workmen most respectfully beg to submit this joint petition.

- (1) That the management and the workmen have mutually and jointly negotiated the matter with a view to arriving at an amicable and overall settlement.
- (2) That as a result of such negotiations, the Management and the workmen have mutually agreed to settle the matter covered by the aforesaid reference on the following terms and conditions :—
 - (a) It is agreed that the identity of Sri Trinath Sethi, the workman concerned, will be jointly established and verified by the Manager of Chapapur—I Colliery and Sri Siddheshwar Prasad Singh, President Regional Committee, RCMS, Dhanbad.
 - (b) It is agreed that after the identity and genuineness of Sri Trinath Sethi is mutually established as indicated in Clause (a) above, he will be provided employment by the Management as Over Burden Remover in piece rated Group-III, subject to his being medically found fit by the medical officer of the Management. Within a fortnight of this petition being accepted by this Hon'ble Tribunal.
 - (c) It is agreed that the workman concerned will not be paid any back wages or any other benefit for the past period and that he will be entitled to wages only from the date of his employment in terms of this agreement. He will, however, have the benefit of continuity of service.
 - (d) It is agreed that this is an overall agreement/ settlement in full and final settlement of all the claims of the workman concerned and the sponsoring union arising out of the above reference.
- (3) That the Management and the workmen consider that the aforesaid agreement and terms and conditions are fair, just and reasonable for both the parties.

In view of the above, the Management as well as the workman jointly pray that the Hon'ble Tribunal may be pleased to give an award in terms of this joint compromise petition and in pose of the reference accordingly

(Siddheshwar Pd. Singh)

President

Regional Committees, RCMS

Dhanbad

for and behalf of the workman

(S. Bose)

(Secretary, RCMS, Dhanbad)

Witness :—

1. Trinath Sethi

S/o T.I.

Dated : 17-1-86.

SIARAM SINHA, Agent, Chappapur Colliery
Nirsa Area

Eastern Coalfields Limited
For and on behalf of employers.

RAJ S. MURTHY, Advocate

For employers

I know Sri Trinath Sethi personally and he is a genuine person.

Sd/- Illegible

का. आ. 1327 :—भारतीयक विवाद अधिनियम, 1947
 (1947 का 14) को धरा 17 के अनुसरण में, केन्द्रीय सरकार मैसेस भारत कार्किंग कंलि लॉमाटड का बमोदा कोलीपरा के प्रबंधतत्व से सम्बद्ध नियोजकों भार उनक कम्कारों के बाच अनुबंध में निर्दिष्ट भारतीयक विवाद में केन्द्रीय सरकार भारतीयक अधिकरण न. 2 के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार का 10-3-1982 का प्राप्त हुआ था।

S.O. 1327.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Damoda Colliery of Messrs Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 10th March, 1980.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 61 of 1982

In the matter of Industrial Disputes under Section-10(1)(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of Damoda Colliery of Messrs. Bharat Coking Coal Limited, Post Office Nawagarh, Dist. Dhanbad and their Workmen.

APPEARANCES :

On behalf of the employers—Shri B. Joshi, Advocate.

On behalf of the workman—Shri S. Bose, Secretary RCMS Union.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, the 27th February, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(53)/82-D.III(A), dated, the 18th June, 1982.

SCHEDULE

"Whether the demand of the workmen of Damoda colliery in Area No. 1 of Messrs Bharat Coking Coal Limited, Post Office Nawagarh District Dhanbad for giving Grade-B to Shri Babulal Roy, Pay Loader Operator is justified? If so, to what relief is the workman concerned entitled?"

The case of the workmen is that the concerned workman Shri Babulal Roy is a permanent employee of Damoda colliery of M/s. B.C.C. Ltd. He was Car driver till November, 1976. The Personnel of Directorate of BCCL vide letter dated 30-10/1-11-76 directed the concerned workman to report for training in operation services in development and construction division of BCCL at Vikash Bhawan Jharia. The concerned workman reported there on the concerned workman received training in operation and maintenance of Dumper, Pay loader etc. at Vikash Bhawan Jharia. He continued to serve in the development and construction division till January, 1981 when he was released from the said division and posted in Area No. I of M/s. BCCL in the capacity of pay loader operator. He performed his duties as pay loader operator in Mudidih and other projects within area No. I and ultimately he was posted in Damoda Colliery as Pay loader operator and his pay was fixed in the Excavation Grade-D. While he was working as pay loader operator in the Excavation grade-D he learnt from his associates that Excavation Grade-B rate of wages was being paid on similar job in other places. On being informed about the said discrimination made by the management, the local union of

the workmen made a representation before the Area General Manager Area No. I vide letter dated 13-1-81 and a copy of the said letter was sent to the Manager Damoda Colliery but no reply was received from them. Thereafter the union represented before the A.G.C., Dhanbad vide letter dated 2-11-81. The A.G.C. held the conciliation with the parties but it ended in failure and thereafter on failure report being sent to the Central Govt. the present reference was made. The nature of job being performed by the concerned workman is a kin to the excavation Grade-B which rate is being paid to similar workmen in the same area No. I as well as in other places of operation of BCCL. It is the well settled principle that the same pay should be paid for same type of job and M/s. BCCL is also following the said principle except in the places where local officers due to some reason or other are not following it. There is no reason for the management to discriminate the case of the concerned workman from the other workmen doing the same job. It is submitted that the concerned workman should be paid excavation Grade B time rate of wages with effect from January, 1981 with consequential benefits.

The case of the management is that the pay structure of Coal Mining industry are governed by Coal Wage Board Recommendation and NCWA-I and II. There is provision under NCWA-II for formation of standardisation committee for fixation of proper grades to different categories of workmen not covered earlier and JBCCI is the final authority to decide the norms for fixation of different grades to different categories of workmen not covered earlier. The JBCCI has prescribed the norms on the basis of which pay loader operators are to be fixed in different grades, namely, Grade-B, C, D, and E. The union which has sponsored the dispute being a party to the said agreement was bound to honour the recommendation of the JBCCI made in respect of pay loader operators. According to the scheme of pay loader operator is initially put in Grade-E. After completion of minimum of two years of experience and having proved his ability to operate all types of pay loaders of capacities of 2 C.M. or less and possessing sufficient skill and knowledge of running repairing and maintenance of pay loader operator is promoted to Grade-D. Thereafter he is promoted to Grade-C and then to Grade-B on the basis of the norms laid down by the scheme formulated by JBCCI. The concerned workman was originally a car driver, appointed on 1-11-76. He was sent to development and construction division to acquire training in operating pay loaders. He completed his training and obtained heavy vehicle licence. The pay loaders were deployed at Damoda colliery in the year 1979 and therefore the concerned workman was employed as pay loader operator. He was fixed in Grade-D by letter dated 28/29-1-1981 in pursuance of the recommendation of the DPC and since then he has been continuing in Grade-D. He has to complete 3 years of experience in operating all types of pay loaders upto 4 cubic meter capacity and to prove his skill and knowledge in proper repairing and maintenance of pay loaders for being promoted to Grade-C. As the concerned workman did not complete three years of experience, his case for promotion to Grade-C was not considered. The pay loader operator for promotion from Grade-C to Grade-B must be highly skilled in respect of repairing and maintenance and operation of pay loaders of any capacity above 4 C.M. and must have proved his worth for 5 years maintaining good records of service. The demand of the union to put the concerned workman in Grade-B from the very beginning of his career as Pay loader operator is unreasonable and unjustified. The concerned workman is not entitled to any relief.

The question to be determined is whether the concerned workman is entitled for Grade-B of Pay loader operator since 1981.

The management and the workmen have each examined one witness in support of their respective cases. The workmen have produced documents which have been marked Ext. W-1 to W-9 and the management has produced only one document which has been marked as Ext. M-1.

It is the admitted case of the parties that the concerned workman is working as Pay loader operator in Damoda colliery and is placed in excavation Grade-D. It is admitted by the workmen in para 4 of their rejoinder to the W.S. filed by the management that the pay structure are governed by Coal Wage Board Recommendation followed by NCWA-I

and NCWA-II as well as by virtue of practice prevailing in the industry by operation of law. It will thus appear that Ext. M-1 which is the report of the sub-committee in respect of grading, the job description etc. of excavation section is an admitted document and the matter can be decided on the basis of the said document as the union sponsoring the present dispute was admittedly a party to the said document. It will appear from Ext. M-1 that para-12 of deal with pay loader operator Group-B Grade-I. It provides that "A highly skilled workmen having 5 years experience capable of operating all types of pay loaders of capacity of 4 C.M. and above. He should have knowledge of the mechanism of the equipment and should be able to undertake minor running repair. He must hold valid heavy vehicle driving licence. He should also ensure upkeep of the machine." Thus a pay loader in order to get Grade-B should be highly skilled workmen having 5 years of experience and capable of operating all types of pay loaders of capacity of 4 C.M. and above. A pay loader operator in order to get Grade-C should be skilled workman having three years experience of operating all types of pay loaders of capacity of less than 4 C.M. but more than 2 C.M. A pay loader in order to get Grade-D should be a skilled workman having 2 years experience in heavy equipment and in heavy vehicle capable of operating all types of pay loaders of capacity of 2 C.M. and less. It will thus appear from the above that (1) the number of years of experience in driving a certain type of pay loader and (2) the size of pay loader are deciding factors in giving specific grade to the pay loader operator.

Ext. W-6 dated 30-10-76/1-11-76 is an office order which shows that the concerned workman Shri Babulal Roy car Driver in Cat. V posted at Damoda was transferred to development and construction division Vihar Building Jharia on their existing pay and scale of pay for job training at Dumper operator. Ext. W-7 is an office order dated 25-4-79 issued by the General Manager, Barora Area showing the placement of the pay loaders working in different collieries of Barora area. It shows that the concerned workman Babulal Roy was placed as Pay loader operator at Damoda colliery. Ext. W-1 is an office order dated 28/29-1-81 issued by the Personnel Manager, Barora area which shows that on the recommendation of the DPC, excavation employees were promoted to the next higher grade as mentioned against their names as per norms in the reports of the sub-committee in respect of grading job description etc. of excavation section. Besides several persons it also includes the name of the concerned workman Babulal Roy in Sl. No. 18. It shows that from his present posting of driver in Cat. V he was promoted to Grade-D as pay loader operator. It is clear, therefore, that although the concerned workman was placed as pay loader operator in Damoda colliery vide Office order Ext. W-7 dated 25-4-79 he was promoted to the next higher grade in Grade-D of pay loader operator vide Ext. W-1 dated 28/29-1-81. It appears therefore that the concerned workman was promoted to Grade-D as pay loader operator from 28/29-1-81. For promotion from Grade-D to Grade-C he is required to have three years experience of operating all types of pay loaders of capacity of less than 4 C. M. but more than 2 C. M. and for promotion to Grade-B pay loader operator he should have 5 years experience capable of operating all type of pay loaders of capacity of 4 C. M. and above. It will thus appear that the case of the concerned workman could be considered for promotion to Grade-C in 1984 as he would complete three years of experience as Pay loader operators reckoned from the year 1981 when he was promoted as Pay loader operator in Grade-D and that he would have five years of experience in 1986. The reference was made in June, 1982. Thus at that time he had not gained experience of three years for being considered for promotion to Grade-C.

MW-1 Shri D. N. Choubey was working as Agent of Damoda colliery from July, 1979 to June, 1983. He has stated that there was only one pay loader in Damoda colliery of about 2 C. M. capacity when he was at Damoda colliery. He has stated that the grade of pay loader operators was fixed according to the JBCCI circular Ext. M-1 and that the concerned workman was given Grade-D after considering experience and eligibility. He has also stated that all pay loader operators in Damoda colliery were given Grade-D. He has stated that he has no knowledge that in other

given Grade-B. WW-1 is the concerned workman himself. He has stated that in 1976 he was sent for training at Kusunda open cast project and was given the training for operating pay loader and Dumper. He has stated that in January, 1981 he was posted at Damoda colliery as pay loader operators but was being paid the wages of car driver. He has stated that there was only one pay loader in the entire area which he used to operate. He had learnt that a pay loader operator in other areas were given the wages of Grade-B. He has denied that he was promoted by D.P.C. but Ext. W-1 which is the document filed by the concerned workman himself shows that the concerned workman was promoted by D.P.C. In Grade-D vide office order dated 28/29-8-81. In cross-examination he has stated that he has no knowledge if the pay loader operators are placed in Grade-E, D, C and B in the different collieries of BCCL as per JBCCI circular. He has stated that Shyamal Roy and Rashbihari Biswas were given training along with him and were directly given Grade-B after their training. It will appear from his further evidence that both Shyamal Roy and Rashbihari Biswas are working in Muraidih Colliery which falls in Area No. I. He has stated that Damoda Colliery where he is working falls in Block No. 2 Area. Thus the area in which the concerned workman is working is different from the area where Shyamal Roy and Rashbihari Biswas are working. MW-1 has stated that there was only one pay loader operator in Damoda Colliery which was of about 2 C. M. capacity. There is no assertion either in the W. S. of the workmen or in the evidence of WW-1 that the concerned workman was operating a pay loader of a capacity of more than 2 C. M. The evidence of the management on the other hand is positive on the fact that the Pay loader being operated by the concerned workman was of less than 2 C. M. There is no evidence regarding the fact that the capacity of the pay loader which was being operated by Shyamal Roy and Rashbihari Biswas was the same as being operated by Shri Roy and in the absence of the said evidence it cannot be said that they were operating a pay loader of the capacity which was being operated by the concerned workman. It cannot therefore be said that the concerned workman and Shri Shyamal Roy and Rashbihari Biswas were operating a pay loader of the same capacity. As the concerned workman was operating a pay loader of less than 2 C. M. capacity it appears that he was rightly placed in Grade-D in accordance with the Ext. M-1 and that he could not have been given either Grade-C or the higher grade-B in as much as he had not gained the experience the number of years and had not operated a pay loader of the capacity which could entitle him for promotion to either Grade-C or Grade-B at the time when the industrial dispute was raised. The claim of the workmen therefore for pay loader operator Grade-B does not appear to be justified. The concerned workman however has now gained experience of more than 3 years and deserves to be considered for promotion by the management to the higher grade and I hope that the management will consider his case for promotion to the appropriate grade as he has gained experience of years.

In the result I hold that the demand of the workmen of Damoda colliery of M/s. B.C.C. Ltd. for giving grade-B to the concerned workman Babulal Roy as Pay loader Operator is not justified and he is not entitled to any relief on the date of reference.

This is my Award.

Dt. 27-2-86

I. N. SINHA, Presiding Officer

[No. L-20012/53/82-D. III(A)]

MADAN MOHAN, Under Secy.

नई दिल्ली, 13 मार्च, 1986

का. आ। 1328.—श्रीदीगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार व जामदौवा कोलियरी मैसर्ज टाटा आयरन एंड स्टील कंपनी लिमिटेड के प्रबन्धताल से सम्बद्ध नियोजकों और

उनके कर्मकारों के बीच अनुवंश में निर्दिष्ट औद्योगिक फिल्ड में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार को 10-3-86 को प्राप्त हुआ था।

New Delhi, the 13th March, 1986

S.O. 1328.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Jamadoba Colliery of M/s. Tata Iron & Steel Company Limited, and their workmen, which was received by the Central Government on the 10th March, 1986.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT .

Shri I. N. Sinha—Presiding Officer.

Reference No. 63 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri S. Bose, Secretary, RCMS.

On behalf of the employers.—Shri S. S. Mukherjee, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad the 28th February, 1986

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-24012(20)/85-D. IV(B) dated the 21st May, 1985.

SCHEDULE

"Whether the action of the management of Jamadoba Colliery of M/s. Tata Iron and Steel Co. Ltd., P. O. Jamadoba, Distt. Dhanbad in terminating Shri Tara Pado, Cat. I Mazdoor from service is justified. If not, to what relief the workman is entitled?"

In this reference the workmen filed their W. S. Several adjournments were granted to the employers. But ultimately on 31-1-86 Shri S.S. Mukherjee, Advocate representing the employers appeared before me and filed a memorandum of settlement. I have gone through the terms of settlement which appears to be fair and proper. Accordingly, I accept the same and pass an Award in terms of the memorandum of settlement which forms part of the Award as Annexure.

Dt. 28-2-86.

I. N. SINHA, Presiding Officer
[No. L-24012/20/85-D. IV(B)]

ANNEXURE

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2,
DHANBAD

Reference No. 63 of 1985

PARTIES :

Employers in relation to the management of Jamadoba Colliery of M/s. Tata Iron & Steel Co. Ltd., P. O. Jamadoba, Distt. Dhanbad;

AND

Their workmen.

The parties above named beg to submit as under :—

That the Government of India, Ministry of Labour by its Order dated 21st May, 1985 has referred the above dispute before this Hon'ble Tribunal for adjudication.

That the parties have mutually agreed to settle the dispute amicably on the following terms and conditions .—

TERMS OF SETTLEMENT

(1) That the concerned workman, namely, Sri Tarapado, Ex. Category I Mazdoor, Ex. T. No. 25177 of Jamadoba Colliery will be employed as a fresh entrant as a Category I Mazdoor. He will however be placed on surface and shall be in the grade of Category I Mazdoor as per N.C.W.A.-III. His fresh employment on Surface shall be subject to medical fitness for surface job.

(2) That he will not claim any wages, monetary or other benefits and continuity of service prior to his fresh employment as stated above.

(3) That the concerned workman will be allowed to resume his duty within 15 days from the date this petition is filed before the Honourable Tribunal.

(4) That the above terms and conditions of settlement are fair and acceptable to the parties.

It is therefore humbly prayed that the Honourable Tribunal may be graciously pleased to accept the above settlement and pass an Award in terms thereof and for this the parties shall be ever grateful.

For Employers :—

(Sd/- Illegible)

1. (S. S. Mukherjee)
Advocate.

(Sd/- Illegible)

2. (S. N. Sinha),
Asst. Chief Personnel,
Manager (C)

For Workmen :—

(Sd/- Illegible)

1. (Shankar Bose),
Secretary,
Rashtriya Colliery Mazdoor Sangh,
Dhanbad.
(Sd/- Illegible)

2. (Tarapado),
Concerned workman.

का. आ. 1329.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार व वेणवण्ठ कोलियरी, ब्लाक नं.-2, क्षेत्र पैसर्स बॉ. सॉ. सॉ. एल के प्रबंधतांत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुवंश में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करता है, जो केन्द्रीय सरकार ने 10-3-86 को प्राप्त हुआ था।

S.O. 1329.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kessurgarh Colliery of Block Area of M/s. Bharat Coking Coal Limited, P.O. Nukhurkee, District Dhanbad and their workmen, which was received by the Central Government on the 10th March, 1986.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 4 of 1986

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of Kessurgarh Colliery of Block II Area of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri S. Bose Secretary, RCMS Union.

On behalf of the employers.—None.

STATE : Bihar. Industry : Coal.

Dhanbad, the 28th February, 1985

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L 24012(81) 85-D. IV(B) dated the 13th/27th December, 1985.

SCHEDULE

"Whether the action of the management of Kessurgarh Colliery of Block II area of M/s. BCCL, P. O. Nukhurkee, Distt. Dhanbad in dismissing Sh. Balo Singh Driver from service is justified ? If not, to what relief the workman is entitled ?"

Shri S. Bose representing the workmen has filed a petition stating that the same matter which has been referred to in the present reference had already been referred to this Tribunal and the same has been numbered as Ref. 177 of 1985 and the same said reference has been sent again giving another date of the order of reference. It is therefore prayed that the present reference be declared as redundant and this file be closed. Also heard Shri Bose. On perusal of the present reference it appears that the said matter had already been referred to this Tribunal and the same has been numbered as Ref. No. 177/85. In the above view of the matter it has rightly been submitted on behalf of Shri Bose representing the workmen that the present reference is redundant. Accordingly this reference being redundant is closed. The other reference namely Reference No. 177/85 will proceed.

I. N. SINHA, Presiding Officer
[No. L-24012/81/85-D. IB(B)]

मई दिल्ली, 14 मार्च, 1986

का. आ. 1330.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार थ केडला भूमिगत पर्योजना मैसर्ज सी. सी. लि. के प्रवंधनतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बच अनुबंध में नियिट्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2, धनबाद के पंचाट को प्रकाशित करते हैं, जो केन्द्रीय सरकार को 10-3-1986 को प्राप्त हुआ था।

New Delhi, the 14th March, 1986

S.O. 1330.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kedla Underground Project of M/s. Central Coalfields Limited and their workmen, which was received by the Central Government on the 10-3-1986.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 22 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of Kedla Underground Project of M/s. Central Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri J. D. Lall, Advocate.
On behalf of the employers.—Shri R. S. Murthy,
Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 27th February, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-24012(57)/84-D. IV(B) dated the 12th March, 1985 :—

SCHEDULE

"Whether the action of the management of Kedla Underground Project of M/s. Central Coalfields Limited,

in keeping S/Shri Ratneshwar Rao, Surendra Singh and Jagdish Rao in Cat. I, taking the work of clerical nature for 5 years and paying them the wages of Cat. I is justified? If not, to what relief are the workmen concerned entitled.

The parties after appearance filed their respective W.S. etc. Subsequently the parties filed a joint petition for compromise but the union had objection to the terms of the settlement incorporated in the compromise petition and the matter was set for hearing whether the compromise petition was in accordance with the terms of settlement arrived between the parties. Shri J. D. Lall, Advocate appearing on behalf of the workmen and Shri R. S. Murhu, Advocate appearing on behalf of the management submitted that the parties have settled the matter and that an Award be passed as follows :—

(a) The management shall place the concerned workman S/Shri Rameshwar Rao, Surendra Singh and Jagdish Rao in Clerical Grade-II under NCWA-II as Munshi with effect from 11-7-84 and that they will be given seniority in the rest of Munshi in Clerical Grade-II with effect from the said date i.e. from 11-7-84, the date when other Munshies in Kedla Underground Project were given Clerical Grade-II in accordance with the provisions of NCWA-II.

(b) The parties also agree that the concerned workmen will be paid the arrears and other benefits with effect from 11-7-84.

(c) The parties further agreed that the above settlement was in full and final settlement of their claims arising out of the present reference.

As the parties have come to a settlement on the terms stated above an Award is passed accordingly.

I. N. SINHA, Presiding Officer
[No. L-24012/57/84-D. IV(B)]
R. K. GUPTA, Desk Officer

Dt. 27-2-1986.

नई दिल्ली, 13 मार्च, 1986

का. आ. 1331 :—औषधिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार पश्चिम कोयला क्षेत्र नि. पेंच परासिया, डा. परासिया, जिला छिन्दवाड़ा के प्रबंधताल से सम्बद्ध नियोजकों और उनके कर्मकार्ग के बीच अनबंध में निर्दिष्ट औषधिक विवाद में केन्द्रीय सरकार औषधिक अधिकरण, जबलपुर के पंचाट की प्रकाशित करते हैं, जो केन्द्रीय सरकार को 5 मार्च, 1986 को प्राप्त हुआ था।

New Delhi, the 13th March, 1986

S.O. 1331.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Western Coalfields Limited, Pench Area, P.O. Parasia, Distt. Chhindwara (M.P.), and their workmen, which was received by the Central Government on the 5th March, 1986.

ANNEXURE

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT, JABALPUR (M.P.).

Case No. CGIT/LC(R)(32)/1982

PARTIES :

Employers in relation to the management of Rawanwara Colliery, Pench Area, Post Office Parasia, District Chhindwara (M.P.) and their workmen, Sri Saideo, Driller.

APPEARANCES :

For Union.—Shri G. N. Shah, General Secretary, M.P. K.K.M. Panchayat (HMS), Junnardeo, Chhindwara (M.P.).

For Management.—Shri P. S. Nair, Advocate.

INDUSTRY : Coal Mines. DISTRICT : Chhindwara (M.P.).

AWARD

Dated, February, 26th 1986

In exercise of the powers conferred by Section 10(1)(d) of the Industrial Disputes Act, 1947, Central Government in the Ministry of Labour referred the following dispute for adjudication vide Notification No. I-12022(126)/83-D. III(B) D.V. dated 7th May, 1984 :—

"Whether the action of the management of M/s. WCL, Pench Area in relation to their Rawanwara Colliery in retiring Shri Saideo, S/o Shri Majnuddin, Driller with effect from 16-9-80 is justified? If not, what relief the workman is entitled to?"

2. Non-controversial facts of the case are that the workman, Saideo, was working as Dresser in Rawanwara Colliery of Western Coalfields Ltd., Pench Area and was retired from service on superannuation i.e. 60 years with effect from 16-9-1980.

3. The case of the management is that he was retired after due notice and his representation was thoroughly examined and rejected. He was retired as per the date recorded in the office record and confirmed by the C.M.P.F. from his record. He was satisfied with the order of retirement, applied and got his Gratuity and finally C.M.P.F. Settlement claims. No certificate was issued by the Manager and no certificate of the Civil Surgeon was produced by him.

4. In the coal industry there is a joint Bipartite Consultative Committee representing all the major unions wherein the question of correction of date of birth was discussed and after mutual discussions it was agreed that the declaration given by the workman in Form B Register should normally be accepted and in case of dispute the age given in the Provident Fund Form A will be final. The present workman himself has declared his date of birth in the Coal Mines Provident Fund Form and in the office of the Regional Provident Fund Commissioner as 11-7-1920. He was, therefore, rightly retired on attaining the age of 60 years.

5. The case of the workman is that he immediately protested on retirement and the Manager, Rawanwara Colliery, certified that the workman on 1-9-1980 was 52 years of age as per record of Form B. He was, therefore, advised to obtain a Medical Certificate as to his age. As such, he approached and the Civil Surgeon, Jabalpur gave him a certificate that he is 50 years of age as on 6-9-1980. The workman produced both these certificates and the management informed him that the matter is under investigation and consideration, however without any result so far. On 12-9-1983 Manager again sent a letter to the Regional Commissioner, Coal Mines Provident Fund stating that the date of birth of the workman is 16-2-1922. Thus even according to the management record his retirement date was wrong. In case No. CGIT/LC(R)(27)/1982 this Tribunal held the retirement as not justified in that case.

6. A preliminary objection has also been raised that the superannuation is not an industrial dispute under Sec. 2A of the I.D. Act. Therefore the reference is bad in law.

7. I will take up the preliminary objection first. Clause (K) of Section 2 of I.D. Act defines the industrial dispute i.e. 'any dispute between employer and workmen etc.'. Section 2A of the I.D. Act further amplifies this matter and says that the dismissal etc. of an individual workmen is deemed to be an industrial dispute. This therefore does not rule out that retirement is an industrial dispute between the employer and employee. Even under Sec. 2A the words otherwise terminated the service of an individual workman has been included in the industrial dispute. In the instant case also the management otherwise terminated

the service on assumption of a particular date of birth of the employee, therefore it will amount to an industrial dispute.

8. Coming to the merits of the case I find that the parties have led oral as well as documentary evidence.

9. The workman has relied on the statement of himself and the representative of the Union, Shri Awadh Bihari (W.W. 2) and certain documents. Ex. W/1 dated nil is the certificate of the Manager, Rawanwara Colliery, Shri R. K. Sharma (M.W. 2) who has admitted having issued it. This certificate says that "age of Shri Saidoo as per our B. Form register age 52 years and as per P. F. record his date of birth is 11-7-20 which was jointly examined on 1-9-1980". The joint examination about the date of birth from declaration in Form A of Regional Commissioner, Coal Mines Provident Fund Office, Jabalpur, was conducted by the Welfare Officer, Shri Chaurasia on behalf of the management and Shri Pursottam Gaikwad, Secretary of the INTUC on 1-9-1980 and the Certificate Ex. M/11 was issued. It gives the date of birth of Saidoo as 11-7-1920. Thus the certificate Ex. W/1 was based on entry in Form B Register and P.F. Record verified jointly by the representatives of the parties. The second certificate relied is that of the Civil Surgeon Ex. W/3 dated 6-9-1980. This certificate is given as per the statement of the workman and on examination and his appearance. It is now well settled that at such an age (as that of workman) the medical opinion cannot be certain. There is bound to be a margin of couple of years either side.

9. Next evidence relied on is Ex. W/14 dated nil a letter by the Assistant Commissioner, Coal Mines Provident Fund, Chhindwara to the Manager Rawanwara Colliery which was replied to vide Ex. W/11 dated 12-9-1983. This letter from the office of the Manager and was signed by Labour Welfare Officer, Rawanwara Colliery specially mentioning his date of birth to be 16-2-1922.

10. In rebuttal the management has also relied on the statement of Shri R. K. Sharma and certain documents. The Regional Commissioner, coal Mines Provident Fund, Chhindwara vide his letter dated 2-1-1985 (Ex. M/4) had sent the declaration Forms of the workman Ex. M/1. Ex. M/2 and Ex. M/3. Ex. M/1 is the first deceleration form dated 30-5-1951 (admitted by the workman) in which his date of birth was recorded as 11-7-1920. The second Form perhaps he gave to change the nominee is Ex. M/3. This gives his date of birth as 1-7-1933. This date of birth is not even supported by the workman, therefore worthless. However this shows that the exact date of birth of the workman has not been constant even in the records. The age 52 years on the basis of Form B Register is too vague and generalised. In any case assuming that there is such an entry it does not prove the exact date of birth. Thus there remains the two sets of documents Ex. M/1 and Ex. M/11 giving his date of birth as 11-7-1920 taking this date the workman was retired. The other set is Ex. W/15 wherein the Labour Welfare Officer gave quite a different date of his birth i.e. 16-2-1922 which is not the date of birth relied by either party. According to management in 1980 he was 60 years old and according to workman he was only 50 or 52 years old in that year. It is not the case of even the workman that he was 58 years old in the year 1980.

11. I am of the opinion that when the workman himself gave his date of birth as 11-7-1920 after 31 years of entry in service i.e. on 30-5-1951 it is difficult to hold that the decision of the management to accept that date as true is in any way arbitrary as has been held in the case of Ganesh Prasad Rai Vs. Chairman-cum-Managing Director, W.C.L. Naenur in M.P. No. 141 of 1985 of the High Court of M.P. at Jabalpur dated 10-10-1985. Workman was retired on 16-9-1980 and the representations Ex. W/4 to W/6 go to show that he did not raise any dispute till 1983 and accepted the decision of the management. He is estopped from challenging the same at a belated stage.

12. Consequently I hold and answer the reference that the action of the management of M/s. W.C. Ltd. Pench Area in relation to their Rawanwara Colliery in retiring

Shri Saidoo S/o. Shri Molnuddin Driller with effect from 16-9-1980 is justified. He is not entitled to any relief. No orders as to costs.

Dated 26-2-1986.

V.S. YADAV, Presiding Officer
[No. L-22012/126(83-D. III (B) D.V.]
SHASHI BHUSHAN. Under Secy.

का. आ. 1332.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसार में, केन्द्रीय सरकार एयरोड्रोम आफिसर, डैवोलिम एयरपोर्ट के प्रबंधनसंसद में सम्बद्ध नियोजकों और उनके कर्मकारों के बच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, यम्बई-2 के पंचाट को प्रकाशित करत है, जो केन्द्रीय सरकार को 5-3-86 को प्राप्त हुआ था।

S.O. 1332.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay-2, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Aerodrome Officer, Dabolim Airport and their workmen, which was received by the Central Government on the 5th March, 1986.

ANNEXURE BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY.

Reference No. CGIT-2/59 of 1985

PARTIES :

Employers in Relation to the Management of Aerodrome Officer, Dabolim Airport

AND

Their Workmen

APPEARANCES :

For the Employers : Mrs. Teja Kadare, Advocate

For the Workman : Shri M.B. Anchan, Advocate

INDUSTRY : Civil Aviation STATE : Goa, Daman and Diu
Bombay, dated the 19th February, 1986

AWARD

By their order No. L-11012(14)/84-D. II(B) dated 28-8-85 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947:-

"Whether the action of the management of Aerodrome Officer of Civil Aviation Department of Dabolim Airport in terminating the services of Miss Mahananda Narvekar, Sweeper with effect from 25-2-82 and not re-employing her even though there were vacancies is legal and justified? If not, to what relief the employee is entitled?"

2. The workman Miss Mahananda Narvekar was in the service of Civil Aviation Department of Dabolim Airport as a Sweeper. It is the case of the workman that she was employed on 1-8-1979 and since then she was in continuous service without any break. She further says that on 25-2-82 as her mother was sick she asked leave for three days but when she returned from leave on 28-2-1982 she found some other girl working in her place and although she repeatedly requested for allowing her to resume her duties, those requests fell on deaf ears and as such an industrial dispute was raised during which before the Conciliation Officer, it is alleged, the Aerodrome Officer had promised to re-employ her but failed to respect his promise and hence the reference.

3. By the written statement in the first place it is alleged that the Civil Aviation Department is a Department of Government of India and not an industrial establishment and as such various provisions of Industrial Disputes Act cannot be resorted to. Secondly, it is alleged, that the workman was no longer interested in service and was absent continuously from 26-2-1982 and the severance of relationship was brought about firstly on account of abandonment and secondly as the workman was found to be disinterested, by letter dated 15-4-1982 the services were terminated with immediate effect and in this manner the workman is alleged to be entitled to no relief.

4. On the above pleadings the following issues arise for determination and my findings thereon are:—

ISSUES	FINDINGS
1. Whether the Civil Aviation Department is an industry ?	No
2. If not, whether the workman is entitled to any relief ?	No
3. What was the total period of service put in by the workman with the Civil Aviation Department till 25-2-1982 ?	More than two years.
4. Is it a termination by the employer or abandonment of service by the employee ?	Termination by the employer.
5. If it was a termination, whether Section 25F of the Industrial Disputes Act is attracted ?	Would have been attracted.
6. If yes, has the employer followed the procedure laid down in the relevant provision ?	No
7. If not, is the termination bad, illegal and unjustified ?	Could not have been legal or justified had it been an industry
8. Was there any promise made by the employers during the conciliation proceeding for re-appointment of the workman and treating the intervening period from termination till reinstatement as leave without pay ?	Yes for re-employment.
9. If yes, what is its effect on the rights of the parties ?	Nil in the present reference.
10. To what relief or reliefs is workman entitled ?	As per order.
11. What award ?	As per order.

REASONS

5. The main question which poses for determination in this reference naturally would be whether the Civil Aviation Department in whose service the workman was, is an industry or not. As defined in Section 2(J) of the Industrial Disputes Act where it means any business, trade undertaking, manufacture or calling of employers and include any calling, service, employment, handicraft or industrial occupation or a vocation of workmen.

6. The tests whether a particular department of Government or the public undertaking is an industry or not have been now laid down in what is known as Bangalore Water Supply & Sewerage Board Vs. A. Rajappa and others reported in 1978 (I) LLJ, page 349. It has been held therein:—

"I. (a) Where (i) Systematic activity; (ii) organised by co-operation between employer and employee (the direct and substantial element is commercial); (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and

wishes (not spiritual or religious) but inclusive of material things of services geared to celestial bliss i.e. making on a large-scale of (prasad or food) prima facie there is an industry in that enterprise.

- (b) Absence of profit-motive or gainful objective is irrelevant, be the venture in the public, joint or private or other sector.
- (c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer employee relations.
- (d) If the organisation is a trade or business, it does not cease to be one because of philanthropy animating the undertaking."

In the same case it was further held that sovereign functions strictly understood alone qualify for exemption, not the welfare activities or economic adventures undertaken by Government or statutory bodies. It was further held, even in departments discharging sovereign functions, if there are units which are industries and they are substantially severable then they can be considered to come within S. 2(J). While laying down dominant nature test the Lordships of Supreme Court further observed that where complex activities are carried on, some of which may qualify for exemption, others not, involves employees of the total undertaking, the predominant nature of the services and the integrated nature of the departments as explained in the Nagpur Corporation case will be the true test. Keeping these various tests in view, if we turn to the business transacted by the department namely the Civil Aviation Department we find that the said department deals with various activities which are enumerated at page 54 of the book called Allocation of Business Rules, 1961 published by the Government of India. Now this department appears to be an amalgam of Ministry of Civil Aviation and Tourism, yet since we are concerned with the Civil Aviation Department, reference to the activities of Ministry of Tourism which are enumerated there would be irrelevant and therefore redundant. The activities of Civil Aviation Department as stated are as follows:—

1. Meteorological Organisation.
2. Aircraft and air navigation; provision of Aerodromes regulation and organisation of air traffic and of aerodromes excepting Sanitary control of air navigation.
3. Beacons and other provision for the safety of aircraft.
4. Carriage of passengers and goods by air.
- 4A. International Civil Aviation Organisation (ICAO).
- 4B. International Air Transport Association (IATA).
- 4C. Commonwealth Air Transport (CATC):
- 4D. Commonwealth Advisory Aeronautical Research Council.
5. Corporation established under the Air Corporation Act, 1953.
6. Chief Commissioner of Railways Safety.

7. Now it is true that the list especially at S. No. 4 refers to carriage of passengers and goods by air. Yet the Aircraft Act, 1934 and the Aircraft Rules, 1937 and from the preamble as well as from the various rules it is evident that the operation of Aircraft whether for the purpose of carrying goods or passenger has been left to the undertakings which may be recognised for the said purpose and what is left with the department is the function of supervision and control, which is an administrative activity and is different from the activity of carriage of passengers and goods. It is pertinent to note that the Civil Aviation Department was never declared to be a public utility service as is defined under Section 2(n) of the Industrial Disputes Act. Therefore what impressed the Lordship of Kerala High Court in Bhaskaran Vs. Sub-Divisional Officer, 1982 (II), LLJ, page 248 while declaring the Posts and Telegraph Department to be an industry is conspicuously absent in the

instant case. Although in the written statement certain facts stand admitted still one fact remains whether in fact the work narrated therein is undertaken by the department. In the evidence the witness of the management has denied it and in my view that must be correct.

8. The full Bench of Punjab and Haryana High Court had occasion to deal with this question when they decided the case State of Punjab vs. Rupinder Singh 1983, L.R.O. 63 where the question involved was whether the establishment, construction and maintenance of National and State highways is an industry or not. At page 88 the activities of State or Central Government were categorised into four sub-heads as follows :

- (1) The Sovereign or the regal functions of the State which are the primary and inalienable rights of a constitutional Government.
- (2) Economic adventures clearly partaking of the nature of trade and business undertaken by it as part of its welfare activities.
- (3) Organized activity not stamped with the total indicia of business yet bearing a resemblance to or being analogous to trade and business.
- (4) The residuary organized Governmental activity which may not come within the ambit of the aforesaid three categories."

9. So far as sovereign or regal functions of the State are concerned there will be little difficulty to hold it to be not an industry. Similarly the second category namely economic adventures which clearly and unmistakably partake of the nature of trading or business activity and there will be little difficulty to hold that it was evidently a business activity and therefore an industry. In the case of third category namely the organized activity not stamped with the total indicia of business yet bearing a resemblance to or being analogous to trade and industry it was observed that this part or category would be covered by Bangalore Water Supply and as such can be termed as an industry.

10. Then remains the fourth category namely the residuary organised Governmental activities which may not come within the ambit of the aforesaid three categories. In this regard it was observed that it would be a governmental function outside the ambit of the term industry as defined in Section 2(j) of the Act. The true test therefore regarding a particular department of Government even if it is not sovereign or the regal activity, is whether the same falls in the second or third category and if we can note a finding in the affirmative then alone a particular department though of Central or State Government can still be declared to be an industry but otherwise not. Apart from trade and business the Government has various governmental functions which as head of the state it must undertake and merely because it was not declared as the Sovereign or the regal function as held in the case above referred to, we cannot jump to the conclusion that when it is not the sovereign or the regal function it must be an industry. As held by the Lordships of the Punjab and Haryana High Court there still remains the fourth category involving the residuary organised governmental activity which does not fall within the ambit of any of the three categories and when neither strictly 'trade or business' in nature nor even remotely resembling such activities may not be sovereign or the regal function, still it would not fall within the ambit of industry.

11. With this test in mind if we again revert to such activities undertaken by the Ministry of Civil Aviation, we find nowhere that either it can be said to be trade or business. Certainly, had the carriage of passengers and goods by air remained as part of the activities of the department things would have been different but since under legislation the activity has been now entrusted to some corporation merely because the department has a general control which is necessary as a State in the interest of citizens, the activity of the corporation cannot be that of the department so as to convert it into an industry. I therefore hold that the activities as they stand do not bring the case under Section 2(l) of the Act.

12. In this connection the evidence on record shows that staff drivers, travellers' requisite stores and vehicles are situated in the Head Office and licence fees are recovered from them but what is to be seen is whether those are the main functions or substantial activity of the department which from the evidence on record we cannot hold to be so. Licence fees recovered from staff drivers and vehicle operators by itself cannot convert the department into an industry.

13. Really speaking once we hold that it is not an industry under the Industrial Disputes Act, no relief can be claimed under Section 10(1)(d) of the Act. However, there are issues raised and for determination of all issues it is necessary that the evidence on record is also discussed to note my findings. Now the workman admittedly was in the service since 1979 and her services were terminated in the year 1982. Whether she was duly rated or not, having regard to the length of service, therefore will have no relevance and she being in continuous employment for more than two years before the termination, the provisions of Section 25F of the Industrial Disputes Act would have been attracted and in that case since no notice nor any retrenchment compensation was paid, the termination tried to be brought about by letter dated 15-4-1982 at S. No. 2 in the management papers would be invalid and the workman would have been entitled to the relief as prayed for. It is alleged that she had abandoned the service and she was no longer interested in the service. However from the fact that she attempted to raise a dispute shows that she was very much eager to get the job and no abandonment plea could have been believed. Therefore once the termination is found to be invalid normally the workman would have been entitled to all the consequences and fruits arising out of such invalid termination but since the main issue whether the department is an industry is answered against the workman the question of granting relief does not arise.

14. Though I am holding that because it is not an industry it is not possible for this Tribunal to grant any relief still one fact must be mentioned namely that in his failure of conciliation report the Assistant Labour Commissioner (C) has referred to the promise made by the Management that if there would be any vacancy and the name of the workman is sponsored by the Employment Exchange and if she qualifies in the interview she would be employed in their establishment. So far as interview part is concerned since she has already put in some years of service with the authority there would be no objection from this corner. Similarly the record shows that the workman has already re-registered with the Employment Exchange and taking into consideration all these backgrounds as an ideal employer the Government must fulfill the promise given to the Conciliation Officer. Shri Anchan informs that there was some ulterior motive behind the action of the officer concerned. This may be true, may not be true yet one thing is apparent from the record that antipathy of the officer, has resulted in the loss of service. The Department concerned and the Government therefore should adhere to the promise made before the Conciliation Officer and remove the cause for grievance.

Award accordingly.

M. A. DESHPANDE, Presiding Officer

[No. L-11012/14/84-D.II(B)]

का. आ. 1333 :—आधिकारिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतेय खाद्य निगम के प्रबंधतात्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच प्रनुबंध में निर्दिष्ट आधिकारिक विवाद में केन्द्रीय सरकार आधिकारिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करते हैं, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

S.O. 1333.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in

the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH.
Case No. I.D. 63 of 1985.

PARTIES :

Employers in relation to the management of Food Corporation of India.
AND
Their Workmen.

APPEARANCES :

For the Employers.—Shri. R. Bhaskaran.

For the Workmen.—Shri P. K. Singh.

INDUSTRY : Food Corporation of India STATE : Punjab
AWARD

Dated the 25th of February, 1986.

1. The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, as per their Order No. L-42011(9)/84-D.V dated 12-3-1985 referred the following dispute to this Tribunal for adjudication.

- (1) Whether the action of the management of Food Corporation of India in refusing to give the benefit of past service to the Class IV Ex-service-men is justified? If not, to what relief are the workmen entitled?"
- (2) Whether the action of the management of Food Corporation of India, Punjab Region, in terminating the services of 83 workmen (listed below) is justified? If not to what relief are these workmen entitled?"

ANNEXURE

S. No.	Name of the workman & Father's name	Date of joining
1	2	3
1.	Sh. Bant Singh S/o Sh. Jaggar Singh	15-9-79
2.	Sh. Gurmail Singh S/o Sh. Dhan Singh	25-11-82
3.	Sh. Tarsem Singh S/o Sh. Jangir Singh	25-11-82
4.	Sh. Darshan Singh S/o Sh. Jaginder Singh	1-3-82
5.	Sh. Gurdev Singh S/o Sh. Bachan Singh	30-10-81
6.	Sh. Hakam Singh S/o Sh. Lashman Singh	24-4-81
7.	Sh. Nirmal Singh S/o Sh. Gurbakhsis Singh	26-11-82
8.	Sh. Nanu Ram S/o Sh. Ganga Ram	26-11-82
9.	Sh. Jagga Singh S/o Sh. Nachhatar Singh	1-1-80
10.	Sh. Chand Singh S/o Sh. Budh Singh	22-10-80
11.	Sh. Surjit Singh S/o Sh. Sarwan Singh	15-10-81
12.	Sh. Hari Singh S/o Sh. Gando Singh	22-1-82
13.	Sh. Harjinder Singh S/o Sh. Swarn Singh	18-12-81
14.	Sh. Harcharan Singh S/o Sh. Mohinder Singh	22-10-80
15.	Sh. Ram Singh S/o Sh. Nanth Singh	24-3-82
16.	Sh. Jasbir Singh S/o Sh. Ranjit Singh	16-10-82
17.	Sh. Jaswant Singh S/o Sh. Hardam Singh	5-11-81
18.	Sh. Baljit Singh S/o Sh. Bharaur Singh	12-9-79
19.	Sh. Sukhvinder Singh S/o Sh. Sadhu Singh	11-4-82
20.	Sh. Baldev Singh S/o Sh. Joginder Singh	1-6-82

1	2	3
21.	Sh. Krishan Gopal S/o Sh. Charanjit Chopra	15-11-81
22.	Sh. Ram Lal S/o Sh. Bawa Singh	21-9-79
23.	Sh. Surjan Singh S/o Sh. Sadhu Singh	15-5-81
24.	Sh. Sukhpal Singh S/o Sh. Gopal Singh	23-10-80
25.	Sh. Joginder Singh S/o Sh. Puran Singh	16-3-81
26.	Sh. Balwinder Singh S/o Sh. Rahha Singh	24-12-81
27.	Sh. Harnek Singh S/o Sh. Dalip Singh	13-2-81
28.	Sh. Saba Ali S/o Sh. Mohd. Sadiq	20-11-81
29.	Sh. Satpal S/o Sh. Manohar Lal	25-9-79
30.	Sh. Kewal Singh S/o Sh. Gurcharan Singh	1-11-79
31.	Sh. Rajinder Singh S/o Sh. Sardar Singh	6-11-80
32.	Sh. Mewa Singh S/o Sh. Channan Singh	10-10-81
33.	Sh. Sukhwinder Singh S/o Sh. Bant Singh	1-3-82
34.	Sh. Deep Singh S/o Sh. Rameshwar Singh	1-3-82
35.	Sh. Devinder Singh S/o Sh. Sadhu Singh	23-3-82
36.	Sh. Darshan Singh S/o Sh. Chanu Singh	29-3-82
37.	Sh. Hardev Singh S/o Sh. Kartar Singh	3-6-83
38.	Sh. Bhajan Singh S/o Sh. Kuba Singh	9-4-82
39.	Sh. Kesar Singh S/o Sh. Paritam Singh	20-11-81
40.	Sh. Piara Singh S/o Sh. Gurdev Singh	2-2-81
41.	Sh. Madan Singh S/o Sh. Puran Singh	14-10-80
42.	Sh. Krishan Kumar S/o Sh. Atma Ram	22-12-81
43.	Sh. Gurmail Singh S/o Sh. Joginder Singh	21-9-81
44.	Sh. Randip Kumar S/o Sh. Gian Chand	2-12-81
45.	Sh. Gurpal Singh S/o Sh. Inder Singh	14-2-81
46.	Sh. Kirat Singh S/o Sh. Bachan Singh	24-11-81
47.	Sh. Kajit Singh S/o Sh. Banta Singh	8-4-82
48.	Sh. Sukhwinder Singh S/o Sh. Darbar Singh	14-2-81
49.	Sh. Madan Lal S/o Sh. Hem Raj	12-2-81
50.	Sh. Suresh Kumar S/o Sh. Hari Lal	1-4-82
51.	Sh. Singara Singh S/o Sh. Lal Singh	23-8-81
52.	Sh. Naresh Kumar S/o Sh. Bhagwan Dass	17-11-80
53.	Sh. Gurbax Singh S/o Sh. Surjan Singh	20-8-80
54.	Sh. Amarjit Singh S/o Sh. Sadhu Singh	20-8-80
55.	Sh. Jagtar Singh S/o Sh. Mira Singh	7-5-80
56.	Sh. Darbara Singh	18-12-81
57.	Sh. Avtar Singh S/o Sh. Inder Singh	26-9-81
58.	Sh. Gulzari Lal S/o Sh. Toja Ram	1-5-81
59.	Sh. Bahadur Singh S/o Sh. Sayam Singh	6-8-80
60.	Sh. Jang Singh S/o Sh. Sucha Singh	1-5-81
61.	Sh. Lal Singh S/o Sh. Kura Singh	23-3-81
62.	Sh. Bharam Pal S/o Sh. Gurdial Singh	4-8-81
63.	Sh. Avtar Singh S/o Sh. Harmam Singh	20-8-80
64.	Sh. Avtar Singh S/o Sh. Arjun Singh	25-1-82
65.	Sh. Sital Ram S/o Sh. Joginder Singh	20-10-80
66.	Sh. Ajaib Singh S/o Sh. Sadhu Singh	4-11-81
67.	Sh. Paramjit Singh S/o Sh. Sewa Singh	17-3-80
68.	Sh. Jagrup Singh S/o Sh. Birbal Singh	1-4-81
69.	Sh. Charanjit Singh S/o Sh. Daljit Singh	1-1-81
70.	Sh. Sadhu Singh S/o Sh. Durga Ram	20-11-81
71.	Sh. Janak Ram S/o Sh. Bhoomi Ram	1-5-81
72.	Sh. Jai Gopal S/o Sh. Jugna Ram	1-1-79
73.	Sh. Avtar Singh Dhillon S/o Sh. Joginder	5-12-81

1	2	3
74.	Sh. Nekam Singh S/o Sh. Gurcharan Singh	1-6-81
75.	Sh. Bhim Singh S/o Sh. Saundhi Singh	9-6-81
76.	Sh. Hari Singh S/o Sh. Mit Singh	1-1-79
77.	Sh. Kesar Singh S/o Sh. Jangir Singh	1-3-81
78.	Sh. Bahadur Singh S/o Sh. Nehar Singh	2-12-81
79.	Sh. Buchitar Singh S/o Sh. Gurdial Singh	12-12-80
80.	Sh. Kirpal Singh S/o Sh. Naginder Singh	23-9-81
81.	Sh. Nachhatan Singh S/o Sh. Krjan Singh	4-12-81
82.	Sh. Darshan Singh S/o Sh. Gurdial Singh	23-9-81
83.	Sh. Bikram S/o Sh. Zara Singh	24-10-80

2. According to the petitioners, they were working as Class IV employees with the designation of Casual-watchmen under the Resptd. Corporation for a number of years but their services were not regularised despite repeated entreaties. They therefore, raised an issue which was taken up to the Conciliation machinery presided over by the A.L.C.(C). However the matter could not be thrashed out to the satisfaction of the parties and so a failure report was submitted by the concerned A.L.C.(C) to the Ministry of Labour but meanwhile the Corporation terminated the services of Sarvshri Bant Singh and 82 others as mentioned in the above noted annexure.

3. The petitioners again approached the A.L.C. in a bid to avoid their terminations which were stated to be in violation of the mandatory provisions of the Industrial Disputes Act but once again no amicable settlement could be arrived at between the parties and thus forced by the circumstances, the Appropriate Govt. referred the dispute to this Tribunal, as indicated here-in-before.

4. In the same sequence it may also be worthwhile to note that a number of Class IV employees working under the Resptd. Corporation were Ex-servicemen who wanted to avail of certain benefits accorded to them under a policy decision of the Govt. for the services rendered by them in the Armed Forces but the management did not see any logic in their demand and so that issue was also referred by the Appropriate Govt. to the Tribunal.

5. Resisting the proceedings the management pleaded that the petitioners belonged to the Punjab Home Guard Department and were hired by it on daily wages on the rates approved by the concerned Deputy Commissioners to supplement the watch and ward staff on Open Storage Complexes; that on liquidation of the food-grain stocks lying in the open, such casual watchmen were re-patriated to their parent department; although some of them were re-engaged to meet the exigencies of the work-load.

6. In support of their claim the petitioners examined their authorised representative Shri P. K. Singla whereas the management produced their District Manager Capt. Om Parkash. Of course, both the parties filed a number of documents also whose authenticity was not disputed from either side.

7. I have carefully perused the entire available material and heard the parties.

8. In so far as the first part of the reference-schedule is concerned I find no justification in the management's hesitation in according past service benefits to the Ex-Servicemen in the matter of fixation of pay because from the circular No. 126 of 1982 dated 16-12-1982 (Ex. W2) and office order dated 19-4-1983 (Ex. W3) there remains no manner of doubt that at one stage the Resptd. Corporation had agreed to abide by the policy decision to give pay benefit to the Ex-service men for the services rendered by them in the Armed-forces. As a matter of fact both these circulars were a sort of improvement on the previous con-

cessions granted to the re-employed Ex-service men in the year 1976 under the directions of the Finance Ministry as per instructions Ex. W4 and W5. And, perhaps, it was in realisation of the futility of their defence that the management neither controverted the petitioners' claim by way of any definite plea in the written statement nor by leading any evidence during the course of trial before this Tribunal.

9. As regards the other aspect of the dispute, from the disclosures in para No. 5 of the written statement and the admission of the petitioners' authorised representative Shri P. K. Singla, taken down on the Tribunal's record on 18-2-1986, it is abundantly clear that but for a limited number of employees the rest have since been re-engaged by the Resptd. Corpn. It was in view thereof that Shri Singla sought relief only for the 24 workers mentioned at serial numbers 1 to 3, 5, 7, 9 to 18, 22, 23, 56, 58 to 61, 66, 69 and 70 in the above Annexure.

10. At the risk of repetition it may be emphasised that the burden of Corporation's defence was that all the petitioners, including those re-engaged, were drawn on loan basis from the Punjab Home Guards to supplement the Watch and Ward Staff on Open Storage Complexes. But surprisingly enough no evidence was adduced to show whether the petitioners were in permanent (or even temporary) employment of the Punjab Home Guards so as to confer the status of parent-department on the latter Organisation; or as to whether any written requisition was ever sent to the Punjab Home Guards and if so on what terms and conditions the Punjab Home Guards had agreed to lend their services.

11. On behalf of the management reliance was placed on the admission of the petitioners' representative Shri P. K. Singla that they were the volunteers of the Punjab Home Guards. In the same sequence Letter Ex. M2 of the Platoon Commander, received at its Sangrur Depot, was also pressed in service.

12. I am afraid the management has tried to read too much in between the lines. Taken at its best the aforesaid evidence would show that the petitioners were volunteers of the Punjab Home Guards; but, then, under the scheme of the Home Guards Act even full time employees of Public Undertakings like the FCI can be legitimately enrolled as volunteers of the Punjab Home Guards and the latter can certainly requisition them on "Call-out" duties; while on such emergency duty they keep on drawing their salary from the Public Undertaking or Organisation where they are employed; whereas the liability of the Punjab Home Guards is confined only to the payment of some thing by way of Call-out Allowance as would be evident from the contents of the aforesaid letter Ex. M2 relied upon by the Management itself.

13. Actually, the disclosures of this document go a long way to show that despite their casual service tenure with the FCI and an affiliation with the Home Guards, the petitioners continued to be the FCI employees for all intents and purposes. To be precise even while on Home Guard duty they were to draw their usual wages/salary from the FCI.

14. In the same context a reference would also be pertinent to the office orders Ex. W15, W16 and W17, whose tenor is clearly indicative of the proposition that it was the FCI who was the master in so far as the control on work and conduct of the petitioners was concerned.

15. It thus becomes apparent that the FCI was not only the pay master of the petitioners but also had an effective control on their work and conduct so as to qualify as the Employer.

16. At this stage it may further be worthwhile to note that at an earlier stage also a number of similar references were received from the Appropriate Govt. to determine such disputes, the relevant Awards were returned by this Tribunal in favour of the workmen. Feeling dissatisfied

Respt. Corpn. had gone in Writ and in one of the cases the Award was set aside by the Punjab and Haryana High Court as the learned Judges were pleased to observe that there was no master-servant relationship between the parties. However the correctness of their findings is still bidden before the Hon'ble Supreme Court by way of a B.P. But meanwhile some other similar references, on being returned by the Tribunal on the earlier lines, were again challenged by the FCI by way of 6 different Writs before the Punjab & Haryana High Court i.e. C.P.W. No. 766 to 4771 of 1985. They were decided by a Division Bench on 13-1-1986; and a certified copy of the judgement was filed on the records of this Tribunal during the course of hearing. Significantly enough these Writs were decided in the undertaking of the management not to disengage such petitioners without complying with the provisions of the Industrial Disputes Act 1947, meaning thereby that their status as "workmen" within the purview of Section 1(s) and entitlement to terminal benefits envisaged under the Act ibid was conceded.

17. Admittedly in the case in hand it is the common ground that none of the petitioners was given any terminal benefits at the time of disengagement and it goes without saying that by then all of them had put in more than an year's "continuous service" as defined by Section 25-B of the I.D. Act. One therefore can not resist the inference that their terminations were violative of the mandatory provisions of the Section 25-F of the Act ibid.

18. Therefore to conclude with my aforesaid discussion, on quashing the petitioners' terminations I direct their immediate re-instatement on their original posts. However in view of the peculiar situation and intricate circumstances the management would not bear any monetary liability for the intervening period.

19. Award returned accordingly.

I. P. VASUITH, Presiding Officer
[No. L-42011/9/84-D.V]

HARI SINGH, Desk Officer
Chandigarh, the 25th February, 1986.

नई दिल्ली, 17 मार्च, 1986

का. आ. 1334.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम, लखनऊ के प्रबंधताल से मंबद्ध नियोजकों और उनके कम्पकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करते हैं, जो केन्द्रीय सरकार को 11-3-86 को प्राप्त हुआ था।

New Delhi, the 17th March, 1986

S.O. 1334.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur (U.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India, Lucknow (U.P.) and their workmen, which was received by the Central Government on the 11th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, KANPUR

Industrial Dispute No. 248/1985

Reference No. L-12012(38)/81-FCI/DIV(A)/D.V dt. 6-6-1985

In the matter of dispute between;

Shri Arjun Loader &c/o The General Secretary, Food Corporation of India Worker's Union, 58, Diamond Harbour Road, Calcutta.

AND

The Regional Manager, Food Corporation of India, 6/7 Habibullah Estate, Hazaraganj, Lucknow.

AWARD

1. The Central Govt. Ministry of Labour, vide its notification no. L-41012/33/81-FCI/D-IV(HA) dt. 6-6-1985 has referred the following dispute for adjudication to this Tribunal.

Whether the action of the management of Food Corporation of India, Lucknow, in retiring the workman Shri Arjun Loader, Gang No. 3 w.e.f. 15-6-1981, on alleged attaining the age of 58 years by him is justified? If not to what relief the workman concerned is entitled?

2. It is common ground that the workman was working as Loader under the management of Food Corporation of India and was regularised from 15-6-73, after abolition of contract system. In this way he became permanent workman of the management concerned as loader in gang number 3 at its Varanasi Region. According to the workmen he was issued an Identity Card Ext-W-1 which the management witness has called as casual card. This is signed by the Assistant Manager Depot and is verified. In this besides, the name, father's name, permanent and local address, mark of identity, category as Paledar, his age is mentioned as 40 years. 2 years workman's CPF from Annexure A was got filled by him in which he mentioned nominee, his wife. In this he got his date of birth specifically mentioned as 16-6-23, and this document is signed by District Manager Food Corporation of India. This document was prepared on 10-3-75 on which the workman put his thumb impression. Just above his thumb impression, there is a certificate in the following words;

I hereby declare and I have read and understood the FCI, CPF regulation 1965, and I hereby undertake to subscribe to the fund and agree to be bound by the said regulation.

This document is a document prepared in regular course of business and besides the District Manager is also signed by the Assistant Manager. If the workman was illiterate, the certificate that he understood the declaration of employee that what ever was written in the certificate was read over and explained to him and he accepted the same as correct. In this nomination form his date of birth is given very clear in column and again on back which is an application for allotment of account number in which his date of birth is clearly written as 16-6-23. The Identity card is only prepared for the purpose of excess to the godown of right ful person and is a document of identity that he is in service of management as Palle dar, with a photograph attached and not a document of age. It is nothing unusual that a man may look younger than his real age and the person who prepared the document noted down the age after assessing his age on physical appearance. Just as the doctor has certified the workman's age on his appearance as 50 years on 10-8-84 vide Ext-W-2, the management witness has deposed that the approximate age is given in identity card is not authenticate for purposes of age and his authenticate for purposes of verifying verifications only, whereas GPF nomination card is record for age office purposes.

3. The workman has deposed that at the time of filling nomination, I must have told the clerk who filled the form, the details entered in the form regarding my father's name, my wife's name etc., but did not tell him my age. The question arises why he did not tell his age when he gave all details and where from the clerk wrote out the age specifically is 16-6-23. A presumption attaches to an old document prepared on 10-3-75 in the regular course of business and is admitted by workman that he provided all details entered in the nomination form, he must have provided this date of birth 16-6-23 also.

4. The question of his date of birth recorded in Gram Panchayat Ext. W-3, as given arises only when he was given notice for retirement. It was then that the workman obtained this certificate from the Gram Panchayat in which his date of birth is recorded as 5-4-33, this certificate does not bear the date when it was issued. If really this was authentic document workman should have examined Gram Pradhan with all previous record to show that even on the date of inception of Gram Sabha his date of birth was recorded as 5-4-33. In the absence of cogent proof this document Ext.-W-3 can not be relied upon.

5. The counsel for the workman has drawn my attention to the ruling Saroo Prasad Versus General Manager decided by Supreme Court in Civil Appeal No. 1977 of 1981 on 27-1-1981 wherein it was held that the date of birth of an employee can not be unilaterally altered to the disadvantage and prejudice of the employee without giving an opportunity of hearing. The law laid down in the above case is not applicable in the instant case, had the workman voluntarily declared his date of birth earlier, the same could not have been changed to his prejudice without offering him an opportunity of being heard. It can not be said that the age 40 years written in the identity card is the age declared by him at the time of his appointment. That identity card does not bear the date of birth but simply approximate age that is for purposes identifying the workman when he visited for godown for work as the genuine person and not an importor as an outsider and not for purposes of record of the management. The record of the management was the declaration form not filled in by workman in which his date of birth is written as 16-1-23, thus it can not be said that this age was mentioned by the management at their own instance which has effect of genuine age given in the identity card. In all Government Establishment, the age of superannuation is 58 years unless agreed otherwise. In the circumstances, the workman was rightly retired at the age of 58 years w.e.f. 15-6-1981.

6. I consequently hold that the action of the management of Food Corporation of India, Lucknow in retiring the workman Shri Arjun Leader Gang No. 3 w.e.f. 15-6-81 on attaining the age of 58 years by him is justified.

7. The result is that the workman is not entitled to get any relief in the instant case.

8. I, therefore, give my award accordingly.

9. Let six copies of this award be sent to the government for its publication.

Dated 4-3-86.

R. B. SRIVASTAVA, Presiding Officer
[No. L-42012/38/81-F.C.I.D. IV A/D.V/D- II(B)]

का. धा. 1335:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तरीय रेलवे के प्रबन्धनतंत्र से सम्बद्ध, नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

S.O. 1335.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (11 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI J. P. VASISHTH, PRESIDING OFFICER
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL
CHANDIGARH

Case No. I.D. 84 of 1985

PARTIES

Employers in relation to the management of Northern Railway.

AND

Their Workman.—Tarsem Singh.

APPEARANCES :

For the Employers.—Shri Ram Dass.

For the Workman.—Shri B. N. Sehgal.

INDUSTRY : Northern Railway. STATE : Punjab.

AWARD

Chandigarh, the 25th February, 1986

1. The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, as per their Order No. L-41012(7)/83-D, II(B) dated the 29th of July, 1985 referred the following dispute to this Tribunal for adjudication.

"Whether the action of the Northern Railway Administration in terminating the services of Shri Tarsem Singh, Licensed Porter Supervisor at Railway Station Ludhiana with effect from 1-9-82 is justified and legal if not to what relief the said workman is entitled to ?".

2. The petitioner was working as a Licensed Porter under the overall control and supervision of the Divisional Superintendent Northern Railway Ferozepur and was placed at serial number 1 in the seniority list on 10-10-1981 when the post of Licensed Porter Supervisor fell vacant on the death of the then incumbent Shri Gobind Ram at Station Ludhiana. The said post was to be filled up on selection by seniority-cum-merit from amongst the licensed porters. Consequently, a written test was held on 12-6-1982 which the petitioner also qualified. In all, 4 persons had passed that examination and then presented before the Selection committee for viva-voce. As a result one Dhani Ram was selected and given the relevant posting. The petitioner's grouse was that as a matter of fact it was he who had stood first in the written test and also in the interview but was wrongfully denied the posting. He, therefore, raised a demand which was turned down by the management; the issue was then taken to the Conciliation machinery for settlement but as nothing concrete could emerge out of it; hence the reference.

3. In support of his case the petitioner examined himself and filed a number of documents whereas the management felt contended with the filing of copies of the interview call to all the candidates including the petitioner and the posting orders of Dhani Ram.

4. I have carefully perused the entire available material and heard the parties.

5. The documents produced by the management lead us nowhere because of the common ground that the petitioner was put up before the Selection Committee and ignored in favour of Dhani Ram. However, the crucial point is as to whether the management was justified in rejecting him and selecting Dhani Ram for the post of Licensed Porter Supervisor despite his undisputed service seniority? Of course when the selection is held on merit-cum-seniority basis and the candidates are also made to go through the drill of a formal interview it is primarily a matter of subjective satisfaction of the Selection Committee to pick up the best card

suitable for the job. But all the same when the selections are held in a Public Undertaking its conduct has to be shown to be above board. In the case in hand the Management neither produced nor accounted for the merit list of the written test and the Viva-Voce which could clinch the issue for either side; and it goes without saying that such type of record could be available only with the Management. In the absence of any plausible explanation an adverse inference requires to be drawn against them in view of the observations of the Hon'ble Judges in the matter of H. D. Singh Vs. Reserve Bank of India A.I.R. 1986 S. C. 132.

6. On behalf of the Management it was argued that because Dhani Ram was not a party to these proceedings, therefore, any decision to his prejudice may not be sustainable. The submission is not devoid of force but the pertinent point is that the petitioner had no grouse against Dhani Ram. His complaint was directed primarily against the conduct of the Management in denying him a better avenue and opening in service career. All the same I feel inclined to hold that it may not be fair to Dhani Ram to deprive him of the higher posting without hearing his side of the version, particularly when no malafides are alleged.

7. Accordingly, to strike a balance, on sustaining the petitioner's cause in its pith and substance I award against the Management with a direction to them to give him the next available vacancy of Licensed Porter Supervisor in the Division. He would also be allowed all the attendant benefits of having officiated in the post upto 31-8-1982 under Orders Exh. W4 dated 24-11-1981.

Chandigarh.

Dated 25-2-1986.

I. P. VASISHTH, Presiding Officer
[No. L-41012/7/85-D. II(B)]

का. आ. 1336.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार औद्योगिक पुरातत्वज, भारतीय पुरातत्व सर्वेक्षण उत्तरी अंचल, दीमाल, आगर के प्रबंधतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

S.O. 1336.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Archaeological Survey of India and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT KANPUR

Industrial Dispute No. 198/83

In the matter of dispute between;

The State Secretary INTUC Archaeological Survey Mazdoor Union 2/236 Namnair Agra.

AND

The state secretary INTUC Archaeological survey of India, Northern circle, The Mall Agra.

APEARANCES :

Shri Surender Singh—for the Workmen.

Shri M. R. Naier—for the Management.

AWARD

The Central Government, Ministry of Labour vide its Notification No. L-42011/13/82-D. II(B) dated 6th June 1983 has referred the following dispute for adjudication :

Whether the action of the superintending Archeologist Archaeological survey of India, Northern Circle, Agra in not absorbing the casual Labour who have put in one or more years of service on regular basis on same scale of pay is justified if not to what relief are they entitled ?

The case of the union is that most of the casual work of the management have worked regularly for more than 240 days rather some of than have put in regular service of five years or more. But they still been retained as casual workmen. That the union asked the management to pay said casual labours fixed scale rate of pay but despite that they are not been paid scale rates of wages. The union raised industrial dispute before the A.L.C. Agra but there could be settled on the absorption of the casual retained as casual workmen. That the union asked the management is greatly annoyed and are inclined to the terminate the service of the casual labours. That on the basis of the employer's Circular on. 31/2/9/Admn-I dated 20-11-79 informed all concerned regarding instructions of the Central Government which is as follows.

Casual employees who were engaged till 20-3-79 otherwise through the employment exchange and who are eligible in all other respects may be regularised without insisting on the condition referred in para I (a) (i) of D. P. Arom of 21st March, 1979,

But despite that the workmen have not been regularised hence it is prayed that all those casual labour who have put in 240 day service may be regularised by giving them scale wages alongwith arrears on behalf of the management in its reply to the claim statement it was mentioned that so far as question of non absorption of casual labour who have put in more years service on regular basis is concerned the action of filling up vacant post of grade D cadre is already under consideration of this office for which seniority list of the casual labour is being prepared on priority basis in this office. Soon after seniority list is completed these casual labours who are senior most and fulfill educational qualification as laid down in recruitment for group post will be absorbed immediately to the extent post vacant as per govt. rules inforce to absorb casual labour on regular basis. The union in its rejoinder averred that the employees maintain casual workers regularly for several years and the work they are performing is a continuing nature of work which relates to maintenance of monuments its cleaning etc. yet they are not made permanent which is against the rules. In this way a worker remains casual throughout his life without getting benefits pension gratuity.

The management in response of the orders of the court prepared a seniority list of casual workers working under circular office of 1977 date in one calendar year and a copy of the same has been filed including the names of 42 candidates such as casual labour.

The workmen union filed a copy of the letter no. 31/2/19 Admn. I dated 23-11-79 referred in the written statement. This letter has been admitted by this opposite party and is quoted in the claim statement and has been filed. The management has filed seniority list of casual labours which is admitted by the workers representative and is marked exhibit M-1. The management has further filed a list of workers who have completed 240 days which is in two parts and is marked Exhibit-2. On behalf of the workmen one Hararain Nathak gave his affidavit alongwith annexure that

30 more persons given in annexure A have put in more than 240 days of service hence they too be regularised and given scale rate.

On 23-4-85 parties representative accepted that they have to give no evidence orally except documents filed by the workmen on 24-4-85 the workmen filed the seniority list given to them by the management in some other cases the management admits and is exhibited as W. 2. The workmen were heard. Under I.D. Act. sub clause (ii) (a) "workmen has to be deemed to in continuous service under an employer of 12 calendar months preceding the date with reference to which calculation is to be made had actually worked under the employer for not less than 240 days.

Thus the workmen are in continuous service for fixity of tenure and should not be terminated in view of provision of section 25F without giving one months notice and retrenchment compensation other words after completion of 240 days they shall not remain a casual worker but shall have fixity of tenure and would be deemed in continuous service. A person in continuous service will be entitled to scale rate of pay and not daily wages. In these circumstances all the workmen of the management who have admittedly put in 240 days will be entitled to fixity of tenure i.e. they will be treated on regular basis and shal^y get monthly pay at the scale rate.

Admittedly persons mentioned in the annexure appended to this award had put in more than 240 days of service and are thus entitled to be considered persons in regular service and they are entitled to scale rate of pay.

I accordingly give award that the action of the superintending Archaeologist, Archaeological Survey of India Northern Circle Agra in not absorbing the casual labour who have put in one year or more years service on regular basis on same scale of pay is not justified.

The result is that the person in the list appended to this award will be entitled to be absorbed in the regular employment on scale rate in the management.

I, therefore, give my award accordingly.

Let six copies of this award be sent to the govt. for publication.

R. B. SRIVASTAVA, Presiding Officer
[No. L-42011/13/82-D. II(B)]

SENIORITY LIST OF CASUAL LABOURS

Sl. No.	Name S/Sh/Km./Smt.	Father/Husband's Name S/Sh./Smt.
1	2	3
1.	Sri Dewangiri	Sri Somangiri
2.	Sh. Pitember Bhatt	Sh. Pooran Chand Bhatt
3.	Sh. Chandra Mani Bhatt	Nariinmani Bhatt
4.	Keshav Datt Bhatt	Moti Ram Bhatt
5.	Devendra Singh	Kalayan Singh
6.	Samide	Munir
7.	Prabhat Singh	Grandha Singh
8.	Hukum Singh	Narain Singh
9.	Brigendra Kumar	Ram Baboo
10.	Govind Ghosh	Shrishti Dhar Ghosh
11.	Maharag Singh	Chiranji Lal
12.	Sager	Joti Ram
13.	Nathi Lal	Khundi Ram
14.	Shamsheer	Ali Sher
15.	Ram Singh	Hat Singh

1	2	3
16.	Mohd Rafiq	Baggan Khan
17.	Bajrang	Lal Das
18.	Raisuddin	Allauddin
19.	Sajjan	Brij Lal
20.	Raj Bir	Bissa
21.	Nasiruddin	Gulam Raool
22.	Fateh Khan	Aliyar Khan
23.	Kaloo	Kadir
24.	Jagdish	Ram Prasad
25.	Panni Lal	Bhoori Singh
26.	Omprakash	Kailashi
27.	Yed Ram	Jangaliya Ram
28.	Roop Singh	Ram Singh
29.	Dhanpuri	Prempuri
30.	Raj Kumar	Bhagwan Das
31.	Dayal Kishan	Mor Mukut
32.	Jagoo	Baini Ram
33.	Mashi Charan	Chob Singh
34.	Madan Singh	Ganga Singh
35.	Sunahari	Mool Chand
36.	Ramesh Chand	Madhav Nand
37.	Mohd Iqbal	Bindu Khan
38.	Har Narain	Raj Narain
39.	Radhey	Ram Singh
40.	Mahendra Singh	Jamuna Prasad
41.	Rajesh	Gulshan
42.	Kaluwa	Karan Singh
43.	Bhoori Singh	Natha Singh
44.	Islam	Ishak
45.	Raj Roop	Dal Chand
46.	Suresh Chand	Madan Singh
47.	Husaini	Mahaboob Khan
48.	Mohd Ayub	Mohd Bux
49.	Kaloo Khar	Zahoor Khan
50.	Kaluwa	Ismali
51.	Kishan Kumar	Vasu Deo
52.	Kuwar Singh	Bhim Singh
53.	Mool Chand	Moti Ram
54.	Hetu Lal	Lala Ram
55.	Kaloo	Murad
56.	Mohan Singh	Gora Singh Bhist
57.	Gopal	Mohan Singh
58.	Sarustuddin	Basiruddin
59.	Ram Gate	Raj Kumar
60.	Brij Kishor	Mangoo Lal
61.	Munna Khan	Gafoor Khan
62.	Rashid Khan	Turab Khan
63.	Sukhana	Babhoot
64.	Ram Prasad	Kumari
65.	Brijendra Singh	Jamuna Prasad
66.	Pravesh Kumar	Grand Pal
67.	Morish	Shiv Lal
68.	Prem Singh	Kanaihi Singh
69.	Chandra Mohan	Salig Ram
70.	Mohan Wazir	Mohd. Zamir

1	2	3	1	2	3
71.	Sobran Singh	Tota Ram	125.	Ram Singh	Het Singh
72.	Abdul Hafiz	Abdul Latif	126.	Brij Kishor	Mangoo Ram
73.	Sri Kant	Vishya Prasad	127.	Jhinkoo Prasad	Siddhu Prasad
74.	Bhuwan Chandra	Krishna Nand	128.	Badan Singh	Bedariya
75.	Moti Ram	Ishwer Das	129.	Atar Singh	Nathi Lal
76.	Sobran Singh	Danni Ram	130.	Shree Chand	Gokul Chand
77.	Kishan Lal	Balwant Singh	131.	Nathi Lal	Bal Mukand
78.	Triloki	Sita Ram	132.	Sultani	Gaffoor
79.	Virendra Kumar	Senpal	133.	Vijay Singh	Yad Ram
80.	Prakash Kandpal	Tara Dutt Kandpal	134.	Ramesh Chand	Babu Lal
81.	Babu Lal	Nathi Lal	135.	Pooran Chand	Vidya Ram
82.	Jagdish	Kishen Lal	136.	Brij Kishore	Badri Prased
83.	Soni Lal	Chanderbhan	137.	Smt. Lachho Devi	W/o Late Chokhe Lal
84.	Islam	Wazir Khan	138.	Smt. Ram Dulari	W/o Late Pooran Chand
85.	Sayyid Ali	Nanna	139.	Kailashi	Ninua Ram
86.	Kali Charan	Ganga Ram	140.	Smt. Her Pyari	W/o Ram Singh
87.	Balbir Singh	Govind Singh	141.	Shree Ram	Girender Singh
88.	Om Parkash	Gopi Lal	142.	Jagdish	Kishori Lal
89.	Puti Lal	Devi Ram	143.	Devi Singh	Nathi Lal
90.	Idu	Tunda	144.	Prem Singh	Talwar Singh
91.	Manmohan	Bangali	145.	Roop Singh	Ram Singh
92.	Mohd. Nazir	Mohd. Zamir	146.	Suraj Bhan	Pooran Singh
93.	Baini Ram	Gunni Ram	147.	Sobran Singh	Chitar
94.	Mahboob Khan	Baboo Khan	148.	Smt. Poolan Devi	W/o Thakur Das
95.	Lal Singh	Bedariya	149.	Ram Prasad	Jaggu
96.	Ramji Lal	Ram Chand	150.	Bharat Bhoshan	Ram Lal
97.	Mohd. Umar	Mohd.Zaffer	151.	Brij Mohan	Jai Ram
98.	Lula Ram	Mihi Lal	152.	Ashok Kumar	Asha Ram
99.	Banai	Bangali	153.	Jagdish	Chawlaman
100.	Maquabool	Bulaki	154.	Vinod Kumar	B.D.Agaria
101.	Kailashi	Ghoray	155.	Malyalam Singh	Damroo
102.	Bindu Khan	Male Khan	156.	Bharat Lal	Madan Mohan
103.	Ram Devi	Budala	157.	Sita Ram	Ram Swrijo
104.	Nirpat	Jawali	158.	Deshraj Singh	Summer Singh
105.	Darshan Singh	Ram Singh	159.	Suresh	Gore Lal
106.	Raj Kumar	Lallo	160.	Chunni Lal	Ram Prasad
107.	Inder	Pathamber Dutt	161.	Mathura Prasad	Halko
108.	Rajendra Singh	Atar Singh	162.	Ratan Singh	Niran Singh
109.	Habib Khan	Late Ajij Khan	163.	Bhajval Singh	Raghuvir Singh
110.	Mahboob Khan	Habib Khan	164.	Gulab	Bhagwan Dass
111.	Ram Gopal	Pratap Singh	165.	Bhola	Kallo
112.	Bijendra Singh	Ravi-Prasad	166.	Ram Vijai Singh	Gaman Singh
113.	Babu Lal	Pyare Lal	167.	Hakim Singh	Punni Ram
114.	Mahendra Singh	Nathu Lal	168.	Ramji Lal	Itwari
115.	Ram Gopal	Devi Ram	169.	Ram Kishan	Shri Ramji Lal
116.	Sunder Lal	Hire Lal	170.	Omi	Shri Soni
117.	Shabuddin	Wahibuddin	171.	Maqsuda	Shamsuddin
118.	Darshan	Shri Ram Singh	172.	Bhuri Singh	Chhiddi
119.	Ikhall Khan	Bundu Khan	173.	Ramesh	Ramji Lal
120.	Jalan Singh	Daya Ram	174.	Munna	Puran
121.	Raghu Nath	Ram Avtar	175.	Jaggo	Nirottam
122.	Om Prakash	Kailash	176.	Jaggo	Tesu Ram
123.	Devendra Singh	Kalyan Singh	177.	Shiv Dayal	Suran
124.	Sarfuddin	Nashiruddin	178.	Kallu	Shri Shahbjaj
			179.	Hiru	Gulab

1	2	3
180. Khem Chand	Bhawani Dutt	
181. Bhagwan Singh	Shri Shanker	
182. Bhagwan Singh	Dildar Singh	
183. Kamruddin	Kallu Khan	
184. Kaluwa	Jawali	

का. आ. 1337 :—आंशोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबन्धक, टैलीफोन्ज, डाक भवन, भोपाल के प्रबंधतान से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निश्चित आंशोगिक विवाद में केन्द्रीय सरकार आंशोगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार का 5-3-86 को प्राप्त हुआ था।

S.O. 1337.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of General Manager, Telephones, Dak Bhawan, Bhopal and their workmen, which was received by the Central Government on the 5th March, 1986.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(35)|1985

PARTIES :

Employers in relation to the management of General Manager, Telephones, Dak Bhawan, Bhopal and their workman Shri Om Prakash S/o Shri Bhagwat Dayal, 154, Gandhi Nagar, Behind Masjid, Ujjain (M.P.).

APPEARANCES :

For Workman—Shri Balkrishna V. Pradhan, Advocate.
For Management—Shri K. K. Jain, Advocate.

INDUSTRY : Telephones DISTRICT : Ujjain (M.P.)

AWARD

Dated : February 27, 1986

This is a reference made by the Government of India in the Ministry of Labour for adjudication of the following dispute vide Notification No. L-40012(24)/84-D.II(B) Dated 6th May, 1985 :—

"Whether the action of D.E.T. Ujjain in terminating the service of his workman Shri Om Prakash, S/o Bhagwat Dayal w.e.f. 1-10-1983 is legal and justified ? If not, to what relief the workman is entitled and from what date ?"

2. Non-controversial facts of the case are that the workman was working as casual labour on daily wages with the management from 1-10-1979 continuously till the month of September 1983.

3. The case of the workman is that he was working as Wireman Batiman which is perennial nature of job and still he was termed as casual labour. Vide letter dated 15th September, 1983 he was informed that he will be not taken on muster roll with effect from 8-10-1983 and his services were terminated from that date. On 1-10-1984 while on duty he was injured in an accident and hospitalised. The management paid him compensation according to the Workmen's Compensation Act. The management has not complied with

the provisions of Industrial Disputes Act before his termination. Hence this reference.

4. The case of the management is that the workman was working as causal labour on muster roll. He was appointed by the A.E. Auto Installation on casual basis without complying the departmental rules i.e. (1) without being sponsored by the Employment Exchange and (2) that he was over age his date of birth being 10-5-1951.

5. When these facts came to the notice his services were terminated in view of the order dated 11-11-1982 of the M.P. Telecommunication Department.

6. He was paid the compensation Rs. 100 as per Workmen's Compensation Act. Casual workmen are kept only upto the completion of work and there is no provision to give a notice of one month of wages in lieu of notice.

7. Parties have adduced evidence. Ex. W/1 dated 15-9-1983 is the admitted letter of termination which says that his services were extended for six months from 8th April but since no permission has been received from the higher office he is being informed that he will be not taken on muster roll with effect from 8th October, 1983. This proves that his services were dispensed with from 8th October, 1983.

8. Besides this, applicant has examined himself and proved certificates of the A.E. (Phones) Ex. W/3 dated 19-2-1983, Ex. W/4 dated 18-8-1981 of Junior Engineer and dated 19-11-1982 Ex. W/5 of the Asstt. Engineer and Ex. W/6 dated 30-9-1983 of the Junior Engineer. These certificates go to show that he worked as a casual labour from the period mentioned therein. Applicant has also filed the duty chart from 27-3-1983 to 2-4-1983.

9. On the other hand, management has examined Junior Accounts Officer, Shri J. K. Pathan (M.W.I). He has stated that the workman, Om Prakash, worked as a casual labour in his department from 1-10-1979 to 1-10-1983. Thus it is not disputed that the workman worked continuously from 1-10-1979 to 1-10-1983 on which date he met with an accident and his services were terminated with effect from 8-10-1983. The plea of Shri J. K. Pathan is that his services were terminated because he was not sponsored by the Employment Exchange and on the date of his appointment he was over age. As for not being sponsored by the Employment Exchange Certificate Ex. W/6 reproduced below throws light on this aspect of the matter :—

"Certified that Shri Om Prakash S/o Shri Bhagwat Dayal Srivastava of 29 Laxmibai Marg, Ujjain (M.P.) was employed as a casual Mazdoor on muster roll from the month of October 1979, directly, since the installation work of Ujjain Max-I was most urgent and the candidates directed by the Employment Exchange were not sufficient in numbers as per requirement as well as only a few of them had turned up for job. Under such circumstances casual labours were engaged directly."

Management adduced no evidence to rebut the contents of the Certificate. Simply because the Assistant General Manager vide his letter dated 11-11-1982 (Ex. M/1) directed that those who are not sponsored through the Employment Exchange should be straight away retrenched does not have force of law. Irregularity, if any, could have been regularised keeping in view the length of his service.

10. Next ground urged is over age. Management adduced no evidence to prove what was the age prescribed for casual labour and to prove further that the workman was over age on the date of his employment. In this regard Shri J. K. Pathan has stated that there are rules in his department relating to the employment of casual labour and the same are communicated to the officers appointing them. But no such rules are produced before me to justify the claim of the management. In the absence of any employment rules it cannot be said that both the conditions i.e. being sponsored by the Employment Exchange and maximum age which was a necessary for employment. Even the order of employment has not been produced to show that there were the conditions precedent before a person could be employed as casual labour. Thus I find that it is not proved that his termina-

tion was for being disqualified on these accounts. In fact, the order of termination Ex. W/1 dated 15-9-1983 shows that his services were terminated because the higher authorities did not further extend his service period. This also belies the stand of the management and it appears that the management has tried to build up a new case which is not justified by production of evidence and the rules in this regard.

11. Shri J. K. Pathan in his cross-examination has admitted that at the time of his termination no payment was made to him and there are still casual labour in his department. This admission firstly goes to show that nature of work was of perennial nature for which the casual labours are still being employed. Consequently, it goes to show that this applicant was discriminated specially looking to the fact that the workman, Om Prakash Srivastava (W.W.1) had stated that all the casual labours were appointed directly and not through the Employment Exchange. This is fortified by the Certificate Ex. W/6.

12. Now I proceed to examine whether his retrenchment is justified or not?

13. Section 2(oo) of the I.D. Act defines 'Retrenchment' as under:—

"Retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

(a) voluntary retirement of the workman;

(b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or

(c) termination of the service of a workman on the ground of continued ill-health."

The words 'for any reason whatsoever' are the key words as has been held in the case of State Bank of India Vs. N. Sundramoney (AIR 1976 SC p. 1111).

14. Section 25F of the Act lays down 'No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by the employer unless he has been given one month's notice or wages in lieu of notice for the period of notice.'

15. Section 25B of the Act defines 'Continuous Service' in Sub-section (1). But if he does not have continuous service for a period of one year or six months he shall be deemed to be in continuous service under the employer—

"(a) for a period of one year, if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than—

(i) one hundred and ninety days in the case of a workman employed below ground in a mine; and

(ii) two hundred and forty days in any other case."

16. Section 25J of the act provides that the provisions of this Chapter shall have effect notwithstanding anything in any other law (including Standing Orders etc.).

17. In the instant case it is an admitted fact that the workman, Om Prakash Srivastava, had worked as casual labour on daily wages with the management continuously from 1-10-1979 to September 1983. Thus he has worked as casual labour for more than three years continuously. Therefore his service will be deemed to have been 'continuous service' and he is entitled to the protection of Sec. 2(oo) and Sec. 25F of the Act.

18. In the case of Mohan Lal Vs. Management of M/s. Bharat Electronics Ltd. (AIR 1981 SC 1253) the Supreme Court held as under:—

"Niceties and semantics apart, termination by the employer of the service of a workman for any reason whatsoever would constitute retrenchment except in cases in the section itself. The excluded or excluded cases are where termination is by way of punishment inflicted by way of disciplinary action, voluntary retirement of the workman, retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf and termination of the service of a workman on the ground of continued ill-health."

"In the instant case termination of service of the appellant does not fall within any of the exceptions or to be precise excluded categories. Undoubtedly therefore the termination would constitute retrenchment. It is well settled that where prerequisite for valid retrenchment as laid down in Section 25F has not been complied with, retrenchment bringing about termination of service is ab initio void."

'Before a workman can complain of retrenchment being not in consonance with Section 25F, he has to show that he has been in continuous service for not less than one year under that employer who has retrenched him from service. Section 25-B is the dictionary clause for the expression 'continuous service'.'

The same view has been reiterated in Factory Manager, Central India Machinery Mfg. Co. Ltd. Gwalior and another Vs. Naresh Chandra Saxena (1985 LIC p. 941); Karnataka State Road Transport Corporation, Bangalore Vs. H. Boraiyah (AIR 1983 SC 1320); Robert D'Souza Vs. The Executive Engineer, Southern Railway and another (AIR 1982 SC p. 854).

19. On behalf of the management it has been contended that Shri Om Prakash Srivastava was a casual labour therefore his services could be terminated without notice and the necessary compensation without compliance of Sec. 25F of the Act. This contention is without any substance.

20. In the case of Robert D'Souza Vs. The Executive Engineer Southern Railway and another (supra) workman was a casual labour like the present workman who had acquired the status of temporary servant (in the instant case the workman had put in more than three years deemed to be continuous service) was held to be entitled to the protection of Sec. 2(oo) of the Act.

21. For the reasons discussed above, I am of the opinion that termination of the workman with effect from 1-10-1983 amounts to retrenchment within the meaning of Sec. 2(oo) of the Act and his termination being not in accordance with the provisions of Sec. 2(oo) and 25F of the Act is void ab initio.

22. I, therefore, answer the reference as under:—

The action of the D.E.T. Ujjain in terminating the service of his workman Shri Om Prakash S/o Shri Bhagwan Dayal with effect from 1-10-1983 is illegal and unjustified and he is entitled to reinstatement as casual labour with full back wages and other ancillary reliefs from 1-10-1983. He is also entitled to Rs. 100 as costs.

V. S. YADAV, Presiding Officer.

Dated : 27-2-1986.

[No. L-40012/24/84-D.II(B)]

का. मा. 1338.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार उत्तरी रेलवे, लोको वर्कशाप, चरखण्ड लखनऊ के प्रबंधसंघ से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर (यू. पी.) के पंचाट का प्रकाशित करती है, जो केन्द्रीय सरकार का 4-3-86 का प्राप्त हुआ था।

S.O. 1338.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur (U.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Loco Workshop, Charbagh, Lucknow, and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-

CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 210/1984

Reference No. L-41011/15/84.D-II(B) dt. 2-11-1984

The Additional Chief Mechanical Engineer, Northern
In the matter of dispute

BETWEEN

Shri Jaswant Singh C/o The Zonal President, Uttar Rail-
way Karamchari Union 96/196 Roshan Bajaj Lane,
Ganesh Ganj, Lucknow.

AND

The Additional Chief Mechanical Engineer, Northern
Railway Loco Workshop, Charbagh, Lucknow.

APPEARANCES :

Shri B. D. Tewari representative—for the Workman
Shri Hamid Qureshi representative—for the Management

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41011/15/84.D-II(B), dt. 2nd November, 1984, has referred the following dispute for adjudication to this Tribunal.

Whether the action of the Northern Railway Locomotive workshop Charbagh giving a break in service of Shri Jaswant Singh highly skilled (DSI) Fitter Grade-I after medical decategorisation on 13-7-74 and re-employing him a fresh on 24-7-74 is justified? If not, to what relief is the workman entitled?

2. There is no dispute that the workman Shri Jaswant Singh was highly skilled fitter grade I in Diesel Loco Shed Northern Railway Mughalsarai. He failed in eye sight test on 10-4-73. He was on leave thereafter for absorption in alternative category and on 16-4-73 he was sent to DRM Office for further orders. He was kept on 56 days leave on average pay, 196 days leave on Leave on half pay and 180 days on extra-ordinary leave without pay upto 13-7-71, and thereafter he was retired on the ground that no alternative job was available for him. On appeal to the General Manager he was absorbed as Diesel fitter skilled grade from 24-7-74. The period between 14-7-74 to 23-7-74 was treated as break in service. According to the workman jobs of fitter grade I and II were available in the workshop but the same was not offered to the workman and on 24-7-74 he was absorbed on the post two grades lower and the period of 14-7-74 to 23-7-74 was treated break in service although the post of skilled fitter was vacant even on 14-7-74.

3. The management has averred in its written statement that the workman on his own specific request was taken into employment in loco workshop Charbagh as skilled fitter in grade 260-400 and hence he could not be deemed to be in service between 13-7-74 to 24-7-74 (both days inclusive) and that has caused legal and factual breaks in service.

4. The workman failed in eye sight test on 10-4-73 and was declared medically unfit for B-1 category but was de-

clared fit in B-2 category. He was sent on leave for alternative absorption from 16-4-73, under rule 152 of the Railway Establishment Code Vol-I offer of alternative employment is a must. The Assistant Personnel Officer (II) vide his letter dt. 2-9-74, intimated the Asstt. Personnel Officer Northern Railway, Head Quarter, New Delhi, that since no suitable post could be found within the prescribed period of leave has granted to Shri Jaswant Singh retired finally from service on expiry of six months extra-ordinary leave w.e.f. 13-7-74. It was further mentioned in the above letter as follows :

In this connection a reference has been made by Dy. CME(W) vide this officer letter of even number dt. 30-7-74 copy enclosed wherein Dy. CME(W) has been requested to furnish full details of the case to our office for consideration whether continuity of service may be given to Shri Jaswant Singh by grant of extra-ordinary leave without leave salary with the sanction of the competent authority.

5. The workman has filed copy of the letter of General Manager dt. 18-3-75 Annexure P/9 of the claim statement in which a query was made by him as follows :

As per certificate recorded in your office letter dt. 18-9-74 a vacancy of skilled fitter grade Rs. 110-180 (AS) against which Shri Jaswant Singh has been absorbed from 24-7-74 exists in the shops during the period in question viz. 14-7-74 to 23-7-74. It is not understood as to why Shri Jaswant Singh could not be accommodated by 14-7-74 straightway.

6. There is nothing on record to show whether any reply was sent to this letter of the general manager. Workman has filed railway boards circular No. 831E/78-E dt. 21-9-64 Annexure P/10. It is laid down in sub rule (ii) thus :

(ii) The medically decategorised staff absorbed in alternative posts, whether in the same or other cadres, should be allowed seniority in the grade of absorption with reference to the length of service rendered in the equivalent or corresponding grade irrespective of the rate of pay fixed in the grade of absorption under the extant rules. In the case of staff who are in grade higher than the grade of absorption at the time of medical decategorisation, total service in the equivalent and higher grade is to be taken into account.

This is subject to the provision that if a medically decategorised employee happens to be absorbed in the cadre from which he was originally promoted, he will not be placed above his erstwhile seniors in the grade of absorption.

7. Annexure P/8 filed by the workman shows that the workman was confirmed as highly skilled fitter Mech Grade-II on 1-10-69.

8. On behalf of the management one Shri Jai Karan working as office superintendent Northern Railway Administration Lucknow was examined. In cross examination the management witness states that he has not seen the order by which the workman was dismissed. He has further stated that he has no knowledge if the workman was given re-employment under the orders of the general manager, Northern Railway. He further stated that he has not given notice that prior service has not been reckoned.

8. Parties have filed order dated 5-9-74 signed by Dy. CME (W) CB Lucknow which order reads as follows :

The above named has been absorbed alternatively, being declared medically unfit in Gr. I but fit in B-2 and below as skilled fitter w.e.f. 24-7-74.

10. The workman Shri Jaswant Singh in cross examination has admitted that on medical examination he was found unfit for grade B-1 but fit for B-2 and in running shed one should be fit in category B-1. He further states that he was not retired on 13-7-74 but was shown as retired as he was not given any letter of retirement or notice of retirement while in service. In the end he stated that it was on the letter of the general manager (personnel) that he was given

work and he joined duties from 24-7-74 and on 24-7-74 he was given duty of skilled fitter.

11. From the letter of the general manager annex P/9 it appears that the job which was given to the workman on 24-7-74 was available even between 14-7-74 to 23-7-74 about which he made a query and remarked it is not understood as to why Jaswant Singh could not be absorbed/accommodated by 14-7-74 straightway.

12. The management has not shown that the post on which workman was appointed was not available on 14-7-74 further there was no valid retirement as for this short of premature retirement there should have been a legal notice and retrenchment compensation etc.

13. In these circumstances, I hold that in view of rule 152 of Railway Establishment Code Vol. I when alternative job was available from 14-7-74 on which he was ultimately appointed from 24-7-74 there was no justifying ground for not having offered him the same earlier and retired him from 13-7-74 which was against the railway board circular annexure P-10 dated 21-9-64 annexed the claim statement of the workman.

14. In these circumstances, I hold that the workman was entitled to the job given to him as alternative job from 24-7-74 which should have been given to him right from 14-7-74 and further hold that the action of the management of the Northern Railway Loco Workshop Charbagh giving a break in service of Shri Jaswant Singh highly skilled (DSL) fitter grade 1 after medical decategorisation on 13-7-74 and re-employing him on 24-7-74 is not justified.

15. The result is that the workman will be deemed to have been given alternative job w.e.f. 14-7-74 as if there had been no break in service and he will be entitled to all benefits accruing therefrom.

16. I, therefore, give my award accordingly.

17. Let six copies of this award be sent to the government for its publication.

Dated : 26-2-1986.

R. B. SRIVASTAVA, Presiding Officer
[No. L-41011/15/84-D.II (B)]

नई दिल्ली, 18 मार्च, 1986

का. आ. 1339.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक व तार, यू. पी. सर्कन, लखनऊ के प्रबंधतंत्र से ममता नियजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

New Delhi, the 18th March, 1986

S.O. 1339.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kannur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Post and Telegraphs U.P. Circle, Lucknow (U.P.) and their workmen which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -
CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 47 of 1984

Reference No. T-40012(5)/83-D.II(R) dated 13-6-1984
In the matter of dispute,

BETWEEN

Shri Parmeshwari Pd. C/o The Secretary All India Postal Employees Union, Class III-MDAs Allahabad.

AND

The Senior Superintendent of Post Offices Allahabad.

APPEARANCES :

Shri T. P. Mishra representative—for the workman.
Shri R. K. Pal representative—for the Management.

1. the Central Government, Ministry of Labour vide its notification No. L-40012(5)/83-D.II (B) dated 13-6-84 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the Senior Superintendent of Post Offices, Allahabad in transferring Shri Parmeshwari Prasad as Sub Post Master Munshihi (Pithoragarh) is justified ? If not, to what relief is the workman concerned entitled ?

2. It is not disputed that the workman Shri Parmeshwari Prasad Srivastava was working as APM Allahabad. He was transferred to Pithoragarh by a telegram of Post Master General Lucknow on 16-4-80 with instruction to relieve him at once to join at Pithoragarh by order dated 21-4-80, the workman was required by senior Post Master Pithoragarh to join post office Munshihi in District Pithoragarh.

3. The case of the workman is that Shri Ved Prakash Post Master who was manhandled by some staff and consequently he lodged a first information report on 12-4-80, the said Shri Ved Prakash considering the workman's brain behind the incident declared that he would get Parmeshwari Prasad transferred from Allahabad and it was Shri Ved Prakash who prejudiced Post Master General against him and got him transferred to Pithoragarh communicating him the order of the Post Master General under his signatures on 17-4-80. That his transfer order under the circumstances was malafide, colourable exercise of jurisdiction hence illegal and liable to be set aside.

4. The management denied all these and averred that it was a regular transfer by the post master general in public interest as the administration exigency required. It was however, admitted that the workman was transferred by telegram of post master general UP dated 16-4-80. Workman was relieved from Allahabad in the afternoon of 17-4-80 from Allahabad Head Office and as the transfer was on the basis of administration exigency by the competent authority, there was no cause of action for agitating the matter before the Industrial Tribunal. The petition of the workman was also contested on the ground that the court has no jurisdiction as the workman was governed by provision of Article 309/311 of the Indian Constitution.

5. The management has filed the copy of schedule No. II P & T Manual Vol. III which lays down that Head of the Circle has power to transfer a non-gazetted officer within the circle and within the same cadre for administrative reasons. The right of PMG UP being head of the circle to transfer non gazetted official for administrative reasons within UP is not disputed. What is disputed is that whether that order was bona fide or mala fide.

6. In the written statement the management has stated that the transfer of the workman from Allahabad has no relevancy to the dispute to Shri Ved Prakash, the then Post Master Allahabad and the Union and that the workman was transferred purely on administrative ground.

7. In support of its case, management filed affidavit of Shri K. K. Rai who again reiterated that the averments of the workman in para 12 is entirely false and that he was transferred out of Allahabad Division not on account of dispute between Ved Prakash and the Union but he was transferred on administrative grounds by Post Master G. UP.

8. In cross examination when enquired about administrative grounds he stated that what he understood was in the larger interest of the Government. He admits what normal terms for workman in a district is 5 years no doubt workman had left in Allahabad for 5 years yet for special reasons he could have been detained at Allahabad if not he could have been transferred to any of the district outside

Allahabad. He further admitted that normal transfer period in the department from April to June, thus transfer of the workman was not during the normal period. He has denied the suggestion that the workman was transferred at the instance of Shri Ved Prakash the Gazzeted Post Master of Allahabad who had lodged a FIR against two post man who allegedly assaulted him. He further denied that Ved Prakash had suspicion that the workman was the brain behind the incident and got him transferred. He admits the date of FIR i.e. 12-4-80 and the date of transfer of the workman as 16-4-80 when enquired if he gave any affidavit in the hon'ble High Court that certain officers are transferred outside the Postal Division on vigilence report, the witness took the shelter in lapse of memory that he does not remember. He also stated that no show cause notice was issued to him before his transfer.

8. The workman thereafter filed the certified copy of the affidavit of the witness given in the High Court in writ No. 3457/80 in which he stated in paragraph (H) of the affidavit as follows.

The staff of the Allahabad head post office involved in irregular reimbursement of medical bills including Shri K. C. Srivastava, the then officiating Post Master Head Officer was transferred out of the Allahabad region on administrative/recommendation of the vigilence authorities.

The workman has also filed the copy of the affidavit of Shri A. K. Ayengar Senior Suptd. of Post Office Allahabad dated 13-3-81 wherein he averred in para 21 of the affidavit that the head of the circle is competent to transfer the officials only under rule 38 of the Post and Telegraph Manual Volume IV on the request of the individual. It is common ground that no request was made for transfer to Pithoragarh but according to the management it was only on administrative ground.

9. On behalf of the workman Union Representative Shri T. P. Mishra filed his affidavit. He testified the averments of the claim statement which is also signed by him as true to his knowledge.

10. In cross examination he has deposed that as the workman was appointed by PMG for promotion to lower selection grade and was allotted to Allahabad Division by Sr. Superintendent post offices in the Division and that the workman could have been transferred to any place outside the division in UP circle on request only. He further stated that the workman could not join Munshihari (Pithoragarh) due to illness and operated eye. In the end he stated that when his request to transfer him anywhere in plan area in India was turned down he requested for premature retirement.

11. No evidence has been lead as to how this court has no jurisdiction, officials of the post offices comes under the definition of workman and the post office comes under the definition of industry so long its workers are not hit by any of the provisions of the definition class of workmen. I consequently repelled that objection.

12. The only point to be decided in this case whether the transfer of the workman was malafide as alleged or bonafide. Admittedly no written request was made to the Post Master General for transfer. It does not appeal to reason why Sr. Suptd Post Offices did not take up the matter of transfer of the workman outside the division and why it straightway went to PMG for transfer anywhere in the circle, despite the averments on behalf of the workman that his transfer was malafide initiated at the instance of Sri Ved Prakash and the orders passed by PMG was not bonafide but with malafide intention. The management did not rebut the allegation by filing their affidavit or producing them.

13. In normal course it could have been said that transfer was in public interest and as exigency of public work required. But when the matter has come to a labour tribunal on reference from government, the tribunal has right to go into the matter and find out whether transfer is malafide, really has given a lack of regular transfer I am supported in

my this view by law laid down in CBI Versus J & K 1968 II L.I.J page 646 wherein it was.

HELD :

It would be open to the Industrial Tribunal Court when that transfer has challenged, to go into.

14. In the absence of specific denial either by Sri Ved Prakash or Post Master General and in view of the fact that the FIR was lodged on 12-4-80 by the Post Master Shri Ved Prakash and the transfer to the farthest place in Uttar Pradesh i.e. at Pithoragarh on 16-4-80 that too telegraphically with the direction to relieve him immediately when no request was made to the Post Master General for transferring the workman to Pithoragarh leads to one and only one conclusion that the averments of the workman in claim statement must be true. The claim statement of the workman is on the affidavit of Shri T. P. Mishra, the Union Secretary who sponsored the case and who appeared in the witness box to testify the averments of the claim statement but to question was put to him on the point to creat doubt or falsify the averments made.

15. In the circumstances, I hold that the transfer of the workman Shri Parmeshwari Prasad Srivastava was not bona-fide but was malafide with the ulterior motive to take workman to task. The management should have charge sheeted for any of the allegation i.e. complicity of assault of post master Shri Ved Prakash, this having not been done and the transfer being malafide. I hold that the order of the Post Master General Uttar Pradesh ordering transfer of Shri Parmeshwari Prasad Srivastava to Munshihari communicated through the Senior Superintendent Allahabad is not justified. The result is that the workman will be deemed to be working at Allahabad from the date he had hand over charge under said orders and will be entitled to all benefits till the date of his voluntarily retirement.

16. I, therefore, give my award accordingly.

17. Let six copies of this award be sent to the Government for its publication.
Dated : 25-2-1986.

R. B. SRIVASTAVA, Presiding Officer
[No. L-40012/5/83-D.II (B)]
HARI SINGH, Desk Officer

नई दिल्ली, 17 मार्च, 1986

आदेश

का. आ. 1340:—केन्द्रीय सरकार की राय है कि इससे उपावस्थ अनुभूति में विनिश्चित विषय के बारे में दो एक्सल इंडस्ट्रीज लिमिटेड, बर्बाद और दो एक्सल इंडस्ट्रीज लि., भावनगर, के नियोजकों और उनमें नियोजित कर्मकारों के बीच एक श्रीदोगिक विवाद विद्यमान है;

और उक्त श्रीदोगिक विवाद ऐसी प्रकृति का है कि दो एक्सल इंडस्ट्रीज लिमिटेड, बर्बाद और दो एक्सल इंडस्ट्रीज लिमिटेड, भावनगर के एक से अधिक राज्यों में स्थित प्रतिष्ठानों की अधिसंचिह्नित होने या उस विवाद से प्रभावित होने के संभावना है,

और केन्द्रीय सरकार की राय है कि उक्त विवाद का गल्टीय अधिकरण द्वारा न्याय निर्णयन किया जाना चाहिए अतः अब केन्द्रीय सरकार:—

(i) श्रीदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7ब द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एक राष्ट्रीय श्रीदोगिक अधिकरण गठित करनी है जिसका

मुख्यालय बंदई में होगा और स्थायमूर्ति श्री प्रार. डॉ. तुलसुले को इसका प्रोटोसीन अधिकारी नियुक्त करते हैं;

(ii) उक्त अधिनियम की धारा 10 की उप-धारा (1क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त औद्योगिक विवाद वो उक्त राष्ट्रीय औद्योगिक अधिकरण को न्याय निर्णयन के लिए निविष्ट करती है।

अनुसूची

वया दी एक्सल इंडस्ट्रीज लि., बंदई और दो एक्सल इंडस्ट्रीज लि., भावनगर के नियोजकों को अपने कर्मचारियों को वर्ष 1980-81 और 1981-82 के लिए उनकी वार्षिक मजदूरी का 20 प्रतिशत बोनस के रूप में सुगतान करना चाहिए।

[सं. एन-51039/8/84-प्राई.एण्ड ई. (प्र. प्र.)]

घोषित: गुप्ता, संयुक्त सचिव

New Delhi, the 17th March, 1986

ORDER

S.O. 1340.—Whereas the Central Government is of opinion that an Industrial Dispute exists between the employers of the Excel Industries Limited, Bombay and the Excel Industries Limited, Bhavnagar and the workmen employed therein, in respect of the matters specified in the Schedule hereto annexed.

And whereas the said Industrial Dispute is of such a nature that the establishments of the Excel Industries Limited, Bombay and the Excel Industries Limited, Bhavnagar, situated in more than one State, are likely to be interested in, or affected by, such dispute;

And whereas the Central Government is of opinion that the said Industrial Dispute should be adjudicated by a National Tribunal

Now, therefore, the Central Government—

- In exercise of the powers conferred by section 7B of the Industrial Disputes Act, 1947 (14 of 1947), hereby, constitutes a National Tribunal with Headquarters at Bombay and appoints Justice Shri R. D. Tulpule as its Presiding Officer; and
- In exercise of the powers conferred by sub-section (1A) of section 10 of the said Act, hereby refers the said Industrial Dispute to the said National Tribunal for adjudication.

SCHEDULE

Whether the employers of the Excel Industries Limited, Bombay and the Excel Industries Limited, Bhavnagar, should pay to its employees twenty per cent of their annual wages as bonus for the years 1980-81 and 1981-82.

[No. L-51039/8/84-I&E(SS)]
ASOK GUPTA, Jr. Secy.

नई दिल्ली, 17 मार्च, 1986

का. आ. 1341.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (८) के उपबंध (६) के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संझा का. आ. 4972 तारेख 9 अक्टूबर, 1985 द्वारा यूनियन उद्योग को उत्तर अधिनियम के प्रयोजनों के लिए 20 अक्टूबर,

1985 से छह मास की कालावधि के लिए लोक उपयोग सेवा प्रोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि के छह मास को और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

मत. अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (८) के उपबंध (६) के परतुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 20 अप्रैल, 1986 से छह मास को और कालावधि के लिए लोक उपयोग सेवा घोषित करती है।

[सं. एस.-11017/10/85-डी-1 (ए)]

ए. वी. एस. शर्मा, डैस्क अधिकारी

New Delhi, the 17th March, 1986

S.O. 1341.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India, in the Ministry of Labour S.O. No. 4972 dated the 9th October, 1985 the Uranium Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 20th October, 1985;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 20th April, 1986.

[No. S-11017/10/85-DI/A]

A. V. S. SARMA, Desk Officer

नई दिल्ली, 17 मार्च, 1986

का. आ. 1342.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इंडस्ट्रीयल डेवलपमेंट बैंक और इंडिया के प्रबंधनातंत्र से संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भारत के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

New Delhi, the 17th March, 1986

S.O. 1342.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Industrial Development Bank of India and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE THIRU FYZEE MAHMOOD, B.Sc., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
TAMILNADU MADRAS.

(Constituted by the Central Government)

Thursday, the 20th day of February, 1986

Industrial Dispute No. 45 of 1984

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Industrial Development Bank of India, Madras-1)

BETWEEN

The workmen represented by the Secretary, Industrial Development Bank of India Employees' Association, 430, Anna Salai, Nandanam, Madras-600 035.

AND

The Manager,

Industrial Development Bank of India, Tamilnadu State Co-operative Bank Building, 233, N.S.C. Bose Road, Madras-600 001.

REFERENCE :

Order No. L-12011/63/83-D.II(A), dated 16-5-1984, Ministry of Labour & Rehabilitation, Department of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiruvalargal R. Ganesan and R. Geththaman, Advocates for the workmen and of Thiru R. Arumugam for Thiruvalarai Aiyar and Dolia, Advocates for the Management, upon referring the reference, claim and counter statements and all other material papers on record and the Union having filed a memo not pressing the dispute and recording the same, this Tribunal made the following.

AWARD

This dispute between the workmen and the Management of Industrial Development Bank of India, Madras arising out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-12011/63/83-D.II(A), dated 16-5-1984 of the Ministry of Labour and Rehabilitation for adjudication of the following issue:

"Whether the action of the management of Industrial Development Bank of India, Madras in considering the Industrial Finance Assistants as senior to the Clerks Grade I for promotion to the post of Staff Officer Grade 'A' under Clause-A of Part I of Section B of the Bipartite Settlement dated 10-3-1980 is justified? If not, to what relief are the workmen concerned entitled?"

(2) Parties were served with summons.

(3) The Petitioner-Union filed its claim statement on 2-7-1984 putting forth the claim of the workmen. In repudiation thereof, the Management filed their counter statement on 13-9-1984.

(4) On 10-1-1986, a memo was filed on behalf of the Petitioner that the dispute is not pressed. It was recorded.

(5) In view of the memo the claim of the workmen is dismissed as not pressed. No costs.

Dated, the 20th day of February, 1986.

FYZEE MAHMOOD, Industrial Tribunal
[No. L-12011/63/83-D.II(A)]

का.आ. 1343 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, छलाहवाद नैक के प्रबंध संत्र से संबंध नियोजकों और उनके

कर्मसारों के बांच, अनुबंध में लिस्टेट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, नं. 2, धनबाद के पचाट की प्रकाशित करते हैं, जो केन्द्रीय सरकार को 4-3-86 द्वारा प्राप्त हुआ था।

S.O. 1343.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No 2, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the Allahabad Bank and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 102 of 1985

In the matter of Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Allahabad Bank and their workmen.

APPEARANCES :

On behalf of the workmen—Shri S. K. Secretary, General Secretary, Bihar State Allahabad Bank Employees Union.

On behalf of the employers—Shri R. S. Sarbadhikary, Asstt. General Manager, Allahabad Bank.

STATE : Bihar. INDUSTRY : Banking.
Dated, Dhanbad, the 25th February, 1986

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-12012/259 84-D.II(A) dated the 8th July, 1985.

SCHEDULE

"Whether the action of the management of Allahabad Banking relation to their Patna Region in denying chance to Smt. Kanta Kumari Lal, Peon-cum-Farash in Patna University branch of the bank to officiate on post in subordinate cadre carrying special allowance since 1983 and also not promoting her to the post of Bill Collector is justified? If not, to what relief is the workman concerned entitled?"

The case of the workmen is that the concerned person Smt. Kanta Kumari Lal is the widow of an employee late Kalicharan and on compassionate ground the management appointed her in subordinate cadre as Farash in 1973 at Patna Branch of Allahabad Bank of India. She was later on transferred to Patna University Branch officer and since then she is working as Farash and she is a permanent in the Bank. In 1975 the post of Farash was abolished and a new cadre was designated as Peon-cum-Farash vide management letter dated 30-6-84. Due to the discrimination made by the management against her, she was denied promotion to the post of Bill Collector. Since 1974-75 no appointments were made as Farash in the Bank and fresh appointments were being made in the cadre of Peon-cum-Farash. The case of the workmen is that since the double designation came into effect in subordinate cadre in 1974-75, Farash was designated as Peon-cum-Farash and it is claimed on behalf of the concerned person that since 1974-75 she was automatically designated as Peon-cum-Farash and as such she should have been promoted to the rank of Bill Collector strictly in ac-

cordance with the seniority in cadre. The Bank on the other hand promoted her junior namely Smt Shri Rajendra Das, Sukhdeo Das and Jag Narain Choudhary to the post of Bill Collector and her case of promotion to the post of Bill Collector was ignored. The concerned person is a widow and the management had never asked her whether she wanted to be designated as Peon-cum-Farash. She was not given chance by the management for her promotion by not declaring her as Peon-cum-Farash. The rules of promotion came into existence on 11th January, 1975 which remained effective till its termination by the Bank by due notice dated 29-4-78. A new promotion policy which was agreed between the union and the management came in force from 22-1-83 by which promotion to the post attracting special allowance in subordinate staff cadre was to be made on the basis of Stationwise seniority, the seniority being the length of service reckoned from the date of appointment on probation. As there was no post of Farash after creation of the post of Peon-cum-Farash, as all the Farash were automatically designated as Peon-cum-Farash seniority for promotion to the post of Bill Collector was to be reckoned from the date of appointment on probation. The management had no right to supersede the concerned person. She had moved all the concerned authorities but with no result and thereafter the matter was taken up by the union before the ALC(C) which ended in failure and thereafter the present reference was made.

The case of the management is that the case of promotion of the concerned person was never denied due to any discrimination by the management. The management was always acting according to the rules of promotion as envisaged in the settlement dated 11-1-75 which was in force till before the new settlement dated 22-1-83. The management did not ever discriminate the case of the concerned person. It was not the duty of the management to designate all Farash appointed prior to 1974-75 as Peon-cum-Farash until the Farash of pre 1974-75 made a written request to that effect as per bank's circular. It was for the concerned person to make written request for her designation as Peon-cum-Farash and it was not the duty of the management to advise her. On the above plea it is submitted that as the concerned person was not designated as Peon-cum-Farash her case could not be considered for promotion to the post of Bill Collector.

The question to be determined in this reference is whether it was open to the management to deny that the concerned person did not become Peon-cum-Farash in the year 1974-75 when the double designation was enforced and why her persons appointed as Peon-cum-Farash after the issue of order in the year 1974-75 can be declared senior to the concerned person who was Farash since before 1974-75 whether the concerned person is entitled to be promoted as Bill Collector.

None of the parties examined any witness. However, some documents were marked as Ext. W-1 to W-12.

It will appear from the case of the parties that both have based their respective cases on the same documents i.e. the letter dated 1-8-74 which is marked Ext. W-1 in the case. This Ext. W-1 is in connection with the change of Cadre from Farash to Peon-cum-Farash issued by the General Manager of Allahabad Bank. It provides "it has been decided that as and when a vacancy of peon or peon-cum-farash or a farash occurs, first preference will be given to the seniormost farash stationwise (wherever applicable) to change his designation to that of a Peon-cum-farash and, in this place, the designation of the fresh appointee will also be that of a Peon-cum-Farash. In other words all fresh appointments in the vacancies of peons or peons-cum-farashes will be designated as Peon-cum-Farash after affording an opportunity to the seniormost farash at the station to his designation from farash to peon-cum-farash. The latter's seniority for promotion will be reckoned as from the date the change in designation is effected and, however, this takes place the full particulars should be advised to us and you should also instruct Branch/Office concerned to note the change in the relevant records." This letter was addressed to the Asstt. General Manager Regional Office,

Calcutta and it is noted on the top as "Private and confidential". It will thus appear from this letter that it was not meant for general circulation to the employees of the Bank. There is no evidence either oral or documentary to show that the contents of this letter was circulated in general to the employees of the Banks or in particular to the concerned person. On a reading of this letter it will appear that when a vacancy occurs in Peon-cum-Farash, Farash or Peon first preference was to be given by the management to the seniormost Farash stationwise to change his designation to that of a Peon-cum-Farash. It further provides that after affording an opportunity to the senior most Farash at the station to change his designation from Farash to Peon-cum-Farash, all fresh appointments in the vacancy of Peon-cum-Farash or Peon and Farash will be designated as Peon-cum-Farash. The question is whether the management had given preference to the concerned person when new appointments were being made in the post of Peon-cum-Farash and whether an opportunity was given to the concerned person to change her designation from Farash to Peon-cum-Farash. The plea of the management is that it was for the person concerned to express her option in writing that he/she wants to change her designation from Farash to Peon-cum-Farash and there was no obligation on the part of the management to automatically designate the Farash to the new designation of Peon-cum-Farash. As both the parties have based their cases on this circular Ext. W-1, I think the plea of the management on the language of the letter is not correct. The management had itself to give preference and also to give an opportunity to the seniormost Farash to change her designation from Farash to Peon-cum-Farash when any new appointment was being made after the issuance of this letter. The management has nowhere stated that preference was given to the concerned person to give her option to change her designation from Farash to Peon-cum-Farash and that she was given opportunity to change the said designation when some new persons were appointed as Peon-cum-Farash at the station where the concerned person was working.

It is submitted on behalf of the management that the concerned person Smt. Kanta Kumari Lal filed a petition for change of her designation from Farash to Peon-cum-Farash on 20-11-80. Ext. W-7 is the admitted petition of Smt. Kanta Kumari Lal by which she had applied for the change of her designation from Farash to Peon-cum-Farash. Ext. W-9 is a letter dated 14-5-81 by the General Manager of the Bank by which she was allowed to change her designation from Farash to Peon-cum-Farash as requested by her if there was sanctioned vacancy of a Peon-cum-Farash. It is stated in this letter that her seniority for the purpose of further promotion will be counted from the very date of her actual change of designation i.e. the date when she will report for duty as Peon-cum-Farash. Ext. W-10 is a comment dated 30-1-84 by the management before the ALC(C). Patna regarding the industrial dispute raised by the union on behalf of the concerned person regarding her promotion. It is stated in it that the bank had different class in subordinate cadres and in 1974-75 double designation came into effect in subordinate cadre known as Peon-cum-Farash and prior to that employees were appointed with single designation. It is stated that first promotion policy came into force from 1-11-75 and second with effect from 22-1-83. It is accepted that the concerned person had requested the Manager, Patna University branch on officiate on posts carrying a special allowance who in turn had forwarded her request to Regional office for clarification whether she was eligible for the same and the said matter was forwarded to the head office who advised that her seniority for further promotion will be counted from very date when she will report for duty as Peon-cum-Farash. Thus the management's order was based on the interpretation of Ext. W-1 but in view of the fact that the management did not give preference or opportunity to the concerned person to change the redesignation from Farash to Peon-cum-Farash. I hold that the concerned person cannot be put to a disadvantage for no fault of her so as to make her junior to the new appointees as Peon-cum-Farash after 1974-75.

Ext. W-4, W-5 and W-6 are the service records of Rajender Das Jag Narain Choudhary and Sukhdeo Das respectively by Shri

Sukhdeo Das was appointed as Peon-cum-Farash on 16-8-75, Rajendra Das, was appointed as Peon-cum-Farash on 19-5-76 and Jag Narain Choudhary was appointed as Peon-cum-Farash on 24-2-81. They were appointed directly as Peon-cum-Farash. The concerned person Smt. Kanta Kumari Lal was admittedly appointed as Farash on 27-10-73. So it is clear that she was appointed in the Bank since before the appointment of Sukhdeo Das, Rajender Das and Jag Narain Choudhary and it will also appear that those three persons were appointed in the station in which Smt. Kanta Kumari Lal was working. Since the concerned person was not afforded any opportunity to change her designation to Peon-cum-Farash by the management, it has to be held that her seniority for promotion has to be reckoned from the date since prior to the direct appointment of Sukhdeo Das made as Peon-cum-Farash on 16-8-75. As Sukhdeo Das was the first employee to be appointed as Peon-cum-Farash at the station where the concerned person was working the management cannot be allowed to play the game of hide and seek by suppressing Ext. W-1 as private and confidential document and then also not designating the concerned person as Peon-cum-Farash by denying her opportunity to chose whether she wanted her designation to be changed from Farash to Peon-cum-Farash. It will appear that when she learnt of the fact that she had to apply for the change of her designation from Farash to Peon-cum-Farash she did file a petition to that effect of her own accord on 20-11-80. The management cannot argue on this basis that as she had applied for the change of her designation on 20-11-80 her prayer was allowed by the letter dated 14/22-5-1981. The letter of the concerned person only shows that she had no knowledge prior to the said application that she had to make a choice in writing for the change of her designation from the post of Farash to Peon-cum-Farash otherwise there was no reason for her not to make such prayer earlier. In view of the discussions made above I hold that the concerned person being senior to S/Smt. Sukhdeo Das, Rajender Das and Jag Narain Choudhary should have been designated as Peon-cum-Farash as that was for her advantage and that her case should have been considered for the post of Bill Collector. She was not given the post of Bill Collector only because she had not been designated as Peon-cum-Farash prior to Sukhdeo Das, Rajender Das and Jag Narain Choudhary. She being the senior most for promotion to the post of Bil Collector she is entitled to the said post of Bill Collector and the management is directed to designate her as Peon-cum-Farash prior to the appointment of Sukhdeo Das.

In the result, I hold that the action of Allahabad Bank in relation to their Patna Region in denying chance to the concerned person Smt. Kanta Kumari Lal, Peon-cum-Farash in Patna University branch of the Bank in not promoting her to the post of Bill Collector is not justified. The management is directed to promote her to the post of Peon-cum-Bill Collector in Pana University Branch, she being the seniormost Peon-cum-Farash, from the date on which any of her junior in the post of Peon-cum-Farash was appointed as Peon-cum-Bill Collector.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-12012/239/84-D-II(A)]

का. आ. 1344.—ब्रौदीगिक विवाद भवित्वियम्, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, स्टेट बैंक ऑफ बीकानेर एंड जयपुर के प्रबंधनतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ब्रौदीगिक विवाद में केन्द्रीय सरकार ब्रौदीगिक

अधिकार चान्दूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-3-86 को प्राप्त हुआ था।

New Delhi, the 17th March, 1986

S.O. 1344.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the State Bank of Bikaner and Jaipur and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Reference No. L-12012/263/80-D-II(A) dt. 1-8-81

Industrial Dispute No. 109/1981

In the matter of dispute between:

Smt. Dulli C/o The President UP Karamchari Sangh,
26/104 Birhana Road, Kanpur.

AND

The Branch Manager, State Bank of Bikaner and Jaipur,
Birhana Road, Kanpur.

APPEARANCES :

Shri T. N. Tondon—representative for the management.
Shri V. N. Sekhari—for the workman.

AWARD

1. The Central Government, Ministry of Labour, vide its notification no. L-12012/263/80-D. II(A), dated 1-8-81 has referred the following dispute for adjudication to this Tribunal.

Whether the action of the management of State Bank of Bikaner & Jaipur in relation to Birhana Road Br. Kanpur in not treating Smt. Dulli as full time Farash cum Sweeper is justified. If not to what relief is the workman concerned entitled?

2. The case of the workman is that she is employed in the bank since 1953 as part time sweeperess and that she is also performing the job of farash in addition to that of a job of sweeper since 4-9-77 and she was neither been designated as peon cum farash nor paid full wages of sub staff. It is further averred that a part time workman is entitled to full wages if his working hours exceed 29 hours in a week and that the workman is being paid 3/4th wages as she is being working 6-1/2 hours per day i.e. from 8 a.m. to 2 p.m. It is further averred that the job of farash was being performed by full time sweeper prior to September, 1977 thereafter that job was entrusted to the workman including cleaning of counters, furnitures, banking hall, record room, lunch room and godown. It is further averred by the workman that under the Sastri Award it is provided that part time workman will be given preference in filling the full time post, but inspite of the fact that many new employees were recruited the workman was not paid full time wages. In the end it is prayed that the workman be designated as farash cum peon and be paid full time wages.

3. The application of the workman was contested on the ground that the workman was merely performing the functions of part time sweeper and has not been performing function of farash and that the concerned workman was appointed as part time workman and as such the question of full time wages does not arise. It is further averred that the workman concerned is working only for 29 hours in a week as per bipartite settlement and accordingly she is being paid scale wages. Management has denied that the workman was working 6-1/2 hours per day. It is further averred that the workman concerned is not entitled to any relief much less to be treated as full time farash cum

sweeper w.e.f. 4-9-77 and that the workman concerned is not entitled to be designated as farash cum sweeper with all benefits retroactive effect. In the end it is prayed that the claim of the petitioner be rejected with cost.

4. In the rejoinder the workman has again asserted that Smt. Dulli in addition to her own duties of a sweeper was also performing the duties of farash which job was previously performed by other peons including S/Shri Padam Singh Bansi Lal and Prem Shanker and as her working hours exceeded to 29 hours per week she is entitled to full wages of the sub staff scale. It is further averred that she was doing duties of farash from September, 1977, and was working at least daily for 6-1/2 hours per day and was thus entitled to full pay instead of 3/4th pay which is being paid to her. The union has drawn my attention to the letter dated 8-12-80 of the branch manager Birhana Road, Kanpur, addressed to Assistant General Manager, Head Office, Jaipur, recommending full wages to the workman.

5. The union representative filed application on 9-10-84 for production of document and also requiring measurement of the bank premises.

6. In support of the contention of the workman Shri V. N. Sekhari and Smt. Dulli both filed their affidavit. On the other hand, management has filed affidavit of Sri Mahendra Singh. The management has also filed the letter of Shri Mahendra Singh, the then Branch Manager dated 8-12-80 written to AGM Head Office Jaipur wherein he had recommended, looking to the increased work of workman Smt. Dulli request for full wages required sympathetic consideration. The management filed reply of the AGM dt. 19-1-81 that considering the emoluments being paid her adequate, the recommendation for absorption as full time was turned down.

7. The management also filed the affidavit of Sri P. P. Dakonia, the present branch manager of the branch at Birhana Road, Kanpur.

8. Joint inspection of the premises and document was ordered on which the parties filed joint inspection report dt. 18-5-85. From the attendance register of 78 it was found that the workman was started working at 7 a.m. and with rest of half an hour work ended at 2 p.m. but later she started the work at 8 a.m. and with half hours rest ended at 2.30 p.m. and these static of affairs continued and she never worked beyond 2.30 and she was given half hours rest. In December 1980 the attendance register is signed by earlier manager Shri Mahendra Singh, even in the attendance register till May 83 the working hours started at 8 a.m. and concluded by 2.30 and all this work was done with half hour break in between.

9. Shri Mahendra Singh in his affidavit averred that no letter or order were ever issued to the concerned workman asking her to discharge the function of farash. He further averred that workman was not working 6-1/2 hours per day i.e. 8 a.m. to 2.30 p.m. and that she is not working for more than 29 hours per week and also that she is not signing the attendance register. In the end he averred that workman is not qualified to be absorbed as full time employee, the deposition of the witness on the point of working hours are falsified from the joint inspection report filed whereby it appears that from September, 1978 till May 1983 she had been regular working from 8 a.m. to 2.30 p.m. with half hours rest and that this register was seen and signed by Shri Mahendra Singh himself some times in December, 1980.

10. In cross examination he has admitted that he was the branch manager Birhana Road Branch of the management from July, 1973 to April, 1982 and during this period July, 1978 to September, 1981, the attendance register shows that she worked from 8 a.m. to 2.30 p.m. There is no inspection note for the year 1982, it appears that the same was not made available for inspection for reasons best known to the management. It is nowhere averred that no attendance register was maintained in the year 1982. He proves his letter addressed to AGM of the Management Ext. M-1 dt. 8-12-80. He has deposed that mainly the workman was sweeping the banking hall, maine floor and urinal in the banking hall as well as urinal on the first floor which was

on the staircase leading to the first floor and she cleaned latrine and urinal adjoining the canteen hall only when time permitted her. He admitted that during his stay in the year 1980-81 beside that staircase erected for going down in the basement direct from the banking hall and he stated that Prem Shanker was cleaning the furniture and counters occasionally and at times temporary peons but mainly it was done by Smt. Dulli the concerned workman.

11. He has deposed that the workman is getting 3/4 wages as part time sweepress and her total emolument was Rs. 1154-19 now and he too denied that the workman was not working 6-1/2 hours daily from 8 a.m. to 2.30 p.m. and was not working for more than 29 hours in a week. He also stated that she started putting her signatures from August, 1980 and the timings were marked by some one else, it may be mentioned that not only from 1980 but her attendance is available from 1978 and that at least from September, 1978 she is working from 8 a.m. to 2.30 p.m. with half hours break. These attendance were marked long before the dispute raised before the ALC in September, 1980, Shri Dakonia is working in this branch at Kanpur since October, 1983 i.e. during the pendency of the case he came here. He admits that the basement has same area as the banking hall. He admits that basement banking hall including latrine and urinal are cleaned by workman and this cleaning work is done in the morning and for the second time during the working hours on the interval of two hours. According to him she works twice during the working hours. He too deposes that there is no appointment letter in favour of the workman to work as farash cum peon but admitted that she works as farash as at present there is no farash and this position is continuing for last one and half years since she joined the branch. He also admits that Dulli workman puts her signatures in the attendance register daily.

12. On the other hand Shri V. N. Sekhari, representative for the workman has filed his own affidavit as he had seen the premises of the bank management. In the cross examination he has stated that he has personal knowledge of the premises and cleaning and sweeping the same. Some of his statement is based on information given by union members and workman Smt. Dulli and that would not be called admissible legal evidence. He had been visiting the bank premises in the capacity of President of sponsoring union and according to him workman starts work at 3 O'Clock. He states that the main floor and urinal constructed recently in the banking hall by side of manager's cabin and staircase leading to the basement are being new constructions are additions to the sweeping dusting and cleaning area cleaned by the workman. He also states that workman is working as Farash as the regular farash were shifted to general peon, thus the fact that the workman is doing work of farash also has been confirmed by the management witness MW-1 and also by Mr. Dhakonia management witness as MW-2. He has also stated that during banking hours workman cleaned latrine and urinal several times. He has denied the suggestion of the management that the workman was not given for more than 29 hours in a week.

13. Workman Smt. Dulli herself appeared as witness in the witness box and has stated in her affidavit that she is performing the job of Farash in addition of her duties as sweeper since 4-9-77 but has not been designated as farash cum sweeper and that prior to 1977 the work of farash was done by Padamsingh, Bansi Lal and Prem Shanker. She admits that she is doing cleaning of furnitures, counter glass in the banking hall, record room, lunch room etc., which was not performed by her earlier as part time sweeper prior to September, 1977. According to her work has increased considerable after renovation in the building. In cross examination she has stated that she is not literate and that can only sign. She admits that she was not given any order in writing to work as farash and simply verbal orders were given to work as farash by Shri Mahendra Singh MW. 1 on the assurance that she would get her full pay. She admits that she reaches bank at 8 a.m. and starts work of cleaning from 8.30 when the bank premises is opened by peon about 8.30 a.m. She however states that she

continues to work till about 2.30 or 3 p.m. She has denied the suggestion that the bank premises opens at 9 a.m. She has further denied the suggestion that she is working at the places of other tenants also residing in the same building. She has however, admitted that she did work at two or three places and earned 2 or 3/- She admits that sweeping the floor she does peon work of the floor also. She has deposed that work of farrash was previously done by bank peons and lastly it was done by one Smt. Prem Shanker who is now in cash department as peon and she is doing the work of farrash. She states that since she is getting 3/4th pay. She further stated that she only signs the attendance but does not note the time. She further states that she is not noting the time as the manager asked her not to put timing on the assurance that she was working daily.

14. In view of the bipartite Settlement para, 4.5(b) part time workmen who are members of sub staff are required to be paid if their normal working hours per week are upto 29 hours, 3/4th of the scale wages with proportionate increments and if the normal working hours are 29 hours full scale wages. Even when working beyond 29 hours and getting full pay those persons would be called only part time workmen and not members of the sub staff for which the minimum qualification is 8th pass in which category comes peon cum waterman, peon cum daftari and peon cum farrash etc. Thus even if it is found that the workman Smt. Dulli sweepress worked for more than 29 hours per week and is entitled to full scale wages she will not come under the definition of sub staff.

15. The basic appointment of workmen when she is admittedly not so qualified is that of sweepress and on account of her increase in sweeping work from time to time her wages were increased from 1/3rd to 1/2nd and to 3/4th, even if the Ex-manager Shri Mahendra Singh asked her to perform the duties of farrash which she is doing the same work in the time of Shri Dhakonia, her work of cleaning the table, chairs, counters, cabin will not make her a peon cum farrash which comes under the category of class fourth employee and would be entitled to scale of pay of sub staff.

16. The question arises whether her working hours as a sweeper for which work she was engaged mainly has increased beyond 29 hours in a week which work she initially did upto six hours for which she was paid 13/- and which rose upto 19 hours when she was paid 1/2 scale wages. It is admitted that she had not been putting the timings in the attendance register and had been simply signing it. So mentioning of timing from 7 a.m. to 2 p.m. or from 8 a.m. to 2.30 p.m. will not improve the matter when she admits that the bank premises was opened by chowkidar not at 8 a.m. but at 8.30 a.m. and she worked upto 2.30 or 3 p.m. will come to 6 hours per day out of which she admittedly took a rest of half an hours, thus her working hours would come to 5-1/2 hours per day. It is matter of common knowledge that the banking hours on Saturday are not the same as on rest of the five days i.e. from Monday to Friday so calculating at an average for 5-1/2 hours per day it would come to 27-1/2 hours per week and even taking 1-1/2 hours for Saturday also it does not come more than 29 hours. She is in no statutory obligation to perform the duties of farrash as that will not make her farrash cum peon a member of sub staff, admittedly when she nothing in writing from the manager to do the work of farrash.

17. In these circumstances by any stretch of imagination her working hours does not come more than 29 hours per week and that will be particularly so when she sticks to her job of a sweepress and in that way she will not be entitled full scale wages in view of the bipartite settlement.

18. In the circumstances, I hold that the action of the management of State Bank of Bikaner & Jaipur in relation to its Birhana Road Branch, Kanpur, not treating Smt. Dulli as Farrash cum Sweepess as there is no post of farrash cum sweepress is justified.

19. The result is that the workman is not entitled to any relief.

20. I, therefore, give my award accordingly.

Dated : 25-2-1986.

21. Let six copies of this award be sent to the Government for its publication

R. B. SRIVASTAVA, Presiding Officer
[No. L-12012(263)/80-D.II(A)]
N. K. VERMA, Desk Officer

नई दिल्ली, 15 मार्च, 1986

का. आ. 1345.—आर्थिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, हिन्दुस्तान कर्मशाल बैंक के प्रबंधनत्र से सम्बद्ध विवादों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट आर्थिक विवाद में केन्द्रीय सरकार आर्थिक अधिकरण, कानपुर के पंचाट का प्रकाशित करता है, जो केन्द्रीय सरकार को 4 मार्च 1986 को प्राप्त हुआ था।

New Delhi, the 19th March, 1986

S.O. 1345.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Hindustan Commercial Bank and their workmen, which was received by the Central Government on the 4th March, 1986.

BEFORE SHRI R. B. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT KANPUR.

Industrial Dispute Nos. 75/1980 & 123/1980

Reference Nos. L-12012/71/80-D.II(A) dated 21-7-1980
L-41012/75/79-D.II(A) dated 28-10-1980

In the matter of dispute between : Shri Ram Chandra Mishra C/o The General Secretary, Hindustan Commercial Bank Employees Congress, 75/292, Ranjeet Purwa, Kanpur.

AND

The General Manager, Hindustan Commercial Bank Limited 59/29 Birhana Road Kanpur.

APPEARANCES :

Sarva Shri V. V. Mangalvedhkar
J. C. Dhavan
J. D. Mishra
V. N. Sekhari

Representatives for the
workmen
And, Sarvashri B. G. Agrawal and Jagat Arora representative for the Management.

AWARD

1. The Central Government Ministry of Labour, vide its notification No. L-41012/75/79-D.II(A) dated 28-10-80, (ID case No. 123/1980), has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the Management of M/s. Hindustan Commercial Bank Limited, HO Kanpur in reappointing temporary workmen and regularising them without giving them benefit of their past service is justified? If not, to what relief are the workmen concerned entitled?

2. The Central Government Ministry of Labour, vide its notification no. L-12012/71/80-D.II (A) dated 21st July, 1980, has referred the following dispute (In industrial dispute no. 75/80) for adjudication to this Tribunal :—

Whether the action of the Management of Hindustan Commercial Bank Limited Head Office, in confir-

ming Shri Ram Chandra Mishra, Peon cum waterman, from June 76 without giving him the benefits of his post temporary service is justified? If not, to what relief is the workman concerned entitled?

3. The above two cases were consolidated vide order dt. 22-9-83 in ID No. 75/80 and that case was connected with industrial dispute no. 123/80 which was made leading case.

4. In industrial dispute no. 75/80, the case set out by the union is that workman Shri Ram Chandra Mishra entered in the bank management's service at Kanpur, in October, 70 in leave vacancy and worked about number of days as shown in the annexure A appended to the claim statement and he was ultimately confirmed in service on 22-12-75. That as the workman worked from March 72 to August 72 on all working days against the permanent vacancy he should have been confirmed from 30th August 1972 instead of 22-12-1975, in view of para 20.7 and 20.8 of the bipartite settlement and thus the workman in question is entitled to the credit of temporary employment under the management to be counted to his probation. The period of probation for a workman is of six months and he was eligible for confirmation on this basis from 30-8-1972 whereas he was actually confirmed on 22-12-1975 after a lapse of 3 years, that on that account of late confirmation he has been put to financial losses hence he be deemed to have been confirmed on 30-8-1972 in place of 22-12-1975.

5. The management in its written statement raised a plea of estoppel that the workman working as peon cum waterman for a limited period, that as per policy and general consideration and prepared a list of temporary employees and was offered the post of peon cum waterman from 22-12-1975 on probation of six months which he accepted and after six months on 22-6-1976 he was confirmed. The workman did not raise any objection at that time, hence he is not entitled to raise any dispute at this late stage.

6. The management again filed its written statement on 2-2-1980, raising a legal objection that Shri B. L. Sharma who had signed as Deputy General Secretary of Hindustan Commercial Bank Employees Congress was not the Dy. General Secretary of the HCBEC and was not entitled to file the claim statement on behalf of the sponsoring union, and reiterated the previous objection of estoppel and that the provisions of para 20.7 and 20.8 of the Bipartite Settlement are not attracted in the instant case as the workman was not appointed against permanent vacancy on permanent basis.

7. In rejoinder the union averred that workman was in continuous service from March 72 to August 72 and was entitled to benefit of para 20.7 and 20.8 of the bipartite settlement and as such he should have been confirmed with effect from 30-8-1972.

8. In this the management has filed as many as 16 documents mostly letters of workman Shri R. C. Mishra.

9. The Union has set up the case in Industrial Dispute No. 123/80 that the management had been indulging his illegal and unfair policy of employment by employing workmen as temporary hands for doing work of regular permanent nature, that on appointment the workman designated as temporary workmen though they were not covered under the classification of para 20.7 of the bipartite settlement; that the management after terminated their services without notice, notice pay or compensation which again was irregular, illegal and void ab initio and as a matter of fact they are entitled to full wages for the entire period and benefit of seniority before the appointment and the workmen who were reappointed were remunerated without seeking any benefit of past services for the period they remained retrenched and out of job and in that way they were denied of their legitimate claims and benefits such as back date confirmation increments date, difference of wages, allowances, leave, Provident fund deductions etc., that the management also contravened the provision of para 23F G and H of the Industrial Dispute Act and as such they were entitled to benefits and readjustments of their salaries that the union came out with specific instances names of which are mentioned in paragraph 11 of the claim statement that they were victims of the bank's illegal,

arbitrary and unjust policy and were deprived of benefits. In this way all the temporary workmen are entitled to the benefits under the bipartite settlement with retrospective effect. It is specifically prayed that the banks action in re-appointing temporary workmen and regularising them without giving them benefit of past services be declared unjust arbitrary and illegal.

10. On the application dt. 9-7-83 of the All India Hindustan Commercial Bank Employees Federation filed on 11-7-83 requesting that employees federation be also made a party in the adjudication case which was allowed on 5-8-83 and in consequence, the federation also submitted statement of claim asserting that due to efforts of federation the management agreed to confirm all those temporary employees who had completed 240 days of work in a year. It was same period of work in banks service w.e.f. 8-5-72 and they were also granted one additional increment after completion of six months service and that out of such employees some had put in 50 days work as temporary workman while others had put in more number of days in temporary employment ranging upto 2200 days of so even 10 years, thus it has been prayed that all such employees be given benefit of increment in proportion to the number of days done by the each of them and in case one has not earned number of days entitling to give him one increment his date of increment be predicated besides other benefits and in this way without giving them those benefits be adjudged unjust arbitrary and illegal and relief as suggested may be granted to them.

11. The management raised legal objection that the case was not properly expounded and that no demand was made before raising the dispute. Their main contention is that no specific case has been given by the association and hence the union is put to strict proof to its averments.

12. The association sponsoring the dispute has filed as many as 30 documents showing that the petitioner has been writing to the management and ultimately raised dispute before ALC(Central) which came up for discussion and ultimately failure report submitted to the Government.

13. On 1-6-83 Mr. J. C. Dhavan, Secretary, All India Hindustan Commercial Bank Employees' Congress was allowed to be a party in the case, for making submission and filed records for claiming justice in favour of the employees.

14. The All India Hindustan Commercial Bank Employees Congress pleaded as party on 1-6-83 filed claim statement and reiterated that the temporary workmen of the bank management who had worked for years together were given permanent appointment without giving them benefits of past services and thus violated the provision of para 23B-II. It was averred that they were not reinstated and were not given past benefits, the union referred to an agreement filed in industrial dispute no. 59/78 of Central Government Industrial Tribunal, New Delhi, Shanker Dhavan Versus Hindustan Commercial Bank Limited, Lucknow. That despite agreeing on principal about past services and benefits the management did not implement the agreement in case of their other banks employees other than Shri Shanker Dhavan himself quoting instances of few workmen regarding their past services, it was prayed that the action of the management in not giving the benefit of the past services to the temporary employees of the bank at the time of their reinstatement or employment in service is illegal and unjust.

15. The Congress alongwith claim statement filed three enclosures one of which is agreement in the case of Shanker Dhavan, the other is order passed in the dispute raised before ALC (Central) and the report submitted by ALC and the third is the memorandum submitted to the management on behalf of the Congress and fourth is pamphlet on behalf of the congress.

16. The All India Hindustan Commercial Bank Employees Congress demanded service record through application dt. 25-3-85 of 95 temporary workmen to which the management replied that they do not maintain the service records of the temporary employees.

17. On behalf of the management two witnesses have been examined one is Shri Umesh Saxena MW-1 and the other is Shri Prabhat Shukla MW-2. Shri Umesh Saxena in his affidavit has averred that the reference is vague as no names have been given in respect of whose relief have been claimed under reference. He admits that settlement with the Federation on 25-4-78 regarding the benefit of temporary workman who had worked for more than 240 days. He however, admits that a reference was made in the case of Shanker Dhawan to CGIT New Delhi which was registered as industrial dispute No. 59/78 which was decided on 10-7-79 as no dispute award and in the end it is averred that under the agreement of 25-4-78, of the Federation a number of workmen acquired benefits and if question of past benefits is considered and allowed at this stage it would completely upset the pay and seniority of the workmen working in the bank.

18. In cross examination he admits settlement with the Federation which is marked as Ext. W-1 which was registered before A.I.C (Conciliation Officer). He further stated that he was not able to give any reason why those workmen were not given benefit of permanent appointment from the date of settlement when others were given permanent appointment from the very inception without giving them probation. The witness has admitted the agreement dated 7th July, 1979 and it is marked Ext. W-2. Regarding Ext. W-2 the witness has deposed that Ext. W-2 on the basis of award was given in Shanker Dhawan's case was an individual award and was applicable in the case of Shri Shanker Dhawan only and was not applicable to other general cases of others. He has further stated that he could not give any reason why despite mention in para 3 of Ext. W-2, that the same will apply to all the employees of the bank to their benefit, this was not made applicable to all workmen. This is the crux of the dispute here in Ext. W-2.

19. A perusal of Ext. W-2 shows that regarding dispute of Shanker Dhawan it was observed that the disputed in question has been discussed mutually and it has been agreed to compromise the same. In the next paragraph it is written specifically as follows :

That a settlement has been reached in between the management of Hindustan Commercial Bank Limited Head Office, Kanpur and the UP Bank Employees Congress, through its state President Shri O. P. Nigam which will effect all the employees of the bank to their benefit.

Thus this word "Will effect all the employees of the Bank to their benefit" do not relate specifically to Shri Shanker Dhawan but to all the employees and to their advantage and what was the matter settled is mentioned below:

A copy of settlement is enclosed which may kindly be taken as part of the agreement award and may be passed by the Hon'ble Court.

It was further mentioned that the workman Shri Shanker Dhawan shall be governed by terms and condition of the enclosed settlement. The subsequent para of Ext. W-2 reads that as he has worked for more than 1300 days as temporary clerk he shall be allowed four increments as on 8-5-78. This agreement is signed by Shri Shanker Dhawan and the General Manager of the Bank Management. Thus this settlement Ext. W-2 was an individual settlement but its para 3 indicates that besides the matter of Shri Shanker Dhawan there was also a settlement which will effect all the temporary banks' employees.

20. Besides this agreement which was filed in case of Shri Shanker Dhawan and on the basis of which no dispute award was passed on 10-7-79 there was another general agreement dated 7th July, 1979 which was in the form of an annexure II of the written statement filed by the Employees Federation on 4th September, 1984. As this document was not admitted specifically, the Secretary Employees Congress filed its photo copy on 7-8-85 on the date of argument. The management admitted document no. 1 and for the rest documents denied for want of late production. The management forgot that it has been ordered on 2-7-85 that all the document filed by the parties be read in evi-

dence without formal proof and a typed copy of this document photo copy of which was filed on the date of argument was already filed earlier as annexure II alongwith the written statement of the Federation, thus besides agreement specially prepared for the case of Shanker Dhawan on which he too had signed and which was filed before Delhi Tribunal and on the basis of which no dispute award was given, there was another general agreement dt. 7-7-79 signed by All concerned except Shri Shanker Dhawan in which it was settled in general covering the temporary employees of the bank who had completed 240 days or over as on 8-5-78 and the terms and settlement were as follows:

TERMS OF SETTLEMENT

1. The temporary employees shall be given additional increment(s) for their past services and their basic pay shall be refixed after adding the increment(s) as on 8-5-78 on the following scale;

The employees who put in temporary service

(i) from 240 days (in 12 consecutive months) to 699 days (effective date of increment will be the date when the employee has completed 365 days including period of breaks and holiday and Sundays from the date of his initial appointment as temporary hand) within stipulated period given below,

1 increment

(ii) from 700 days to 999 days 2 increments

(iii) from 1000 days to 1299 days 3 increments

(iv) from 1300 days to over 4 increments.

In no case the bank will give more than 4 increments.

NOTE :

Days will be reckoned back from 8-5-78, the date on which employees have been taken and treated as confirmed hand in the service of the bank. If any employee is found to have put in less than 240 days service in 12 consecutive months in the beginning, this period shall not be taken into consideration for the purpose of increment etc.

2. These employees shall not get the salary for the break periods and also no arrear for the period prior to 8-5-78 will be paid for the increment allowed for the adjustment of their salaries.

3. The date of annual grade increment of these employees shall be 8th May in future, subject to what is stated at 1(i) above.

4. These employees shall be allowed benefit of medical aid leave (privilege and medical etc.) which shall be credited to their respective accounts as per provisions of the Bipartite Settlement, taking into consideration the number of increments allowed and their salary accordingly adjusted but the addition of these notional increments on 8-5-78 will be ignored for purposes of determination of length of service.

This settlement shall come into force from the date it will be filed and accepted by the Central Government Industrial Tribunal, New Delhi, where the case of Shri Shanker Dhawan is pending for adjudication.

Signed by the parties named below this day the 7th July, 1979 at Kanpur.

21. The other witness of the management is Shri Prabhat Shukla who has filed his affidavit evidence. In cross examination he has clarified that he stated in para 8 of his affidavit stating that by vacuum he meant that if transfers are effected in view of difference in seniority the position may arise where at one particular position there might be good number of persons and at the date even adequate number of persons would not be there. He further stated that in para 12 he had referred to the disputes that will be created if such benefits are given as that would adversely affect the management in matters of transfers, migration and promotion. He has further stated that whilst referring industrial

unrest in para 12 of his affidavit he means in case of workmen the condition is upheld there would be good delay of transfers, postings and promotions and that will adversely affect the management.

22. It has been argued by the counsel for the management that there is dispute between inter se unions regarding the implementation of settlement made with them. If that was the case, the workman should have got the matter referred for adjudication under section 36-A of the Industrial Dispute Act which lays down that if in the opinion of the appropriate government any difficulty or doubt arises as to the interpretation of any provision of award or document it may refer to such labour court, tribunal or national tribunal as it may thinks fit. It may be mentioned here that there is no dispute inter se, the union raising the dispute i.e. association or the other unions i.e. Federation and congress which were subsequently made party to refer their cases. The dispute is one and one which have been referred by government in the forms of reference which relates to giving of past benefits. It may be mentioned here that the Federation by its agreement Ext. W-1, with the management obtained a benefit for the workmen all those workmen who completed 240 days in 12 precedings months will be given permanent appointment and shalby earn first increment after six months. In agreement with other unions in some cases, the management agreed to give them permanent appointment from the first date as well as the increment on the basis of past service over 240 days and in the last type agreement copy of which is annexure II of the written statement of the Federation and photo copy which has been filed by Secretary Congress on the date of argument which is marked now as Ext. W-3, whereby all temporary employees those who have completed 240 days and/or more were given graded increment ranging from one to four. Thus it was to be considered in view of those agreements upto what extent past benefits could be given, whether it could be given as agreed per Ext. W-3 or only as per Ext. W-2 for purposes of giving benefits as per permanent appointment and first increment after six months service.

23. The counsel for the management argued that a number of workmen have obtained benefit and got permanent appointment in view of agreement Ext. W-1 whereas in view of agreement Ext. W-2 only Shanker Dhavan got the benefit, thus in that case principal of res judicata will apply and the award given in view of Ext. W-1 will be binding. In support of its contention he referred me ruling workmen Hindustan Lever Limited Versus M/s. Hindustan Lever Limited 1984 I LLJ page 380 wherein it was observed that industrial disputes may be implemented on the principals analogous to res judicata.

24. It is nowhere averred on behalf of the management that the agreement with the Federation Ext. W-1, was malafide. He goes on to argue that members of other unions than federation were also benefited in the agreement so they are estopped from challenging it on applying analogy of res judicata. As observed earlier in the ruling of the workman of M/s. Hindustan Lever Limited it was observed that principal analogous to the respondents can be availed to scuttle any attempt at raising industrial dispute repeatedly in defiance of operative settlements and awards.

25. In the instant case there is no defiance the settlement Ext. W-1 arrived at with the federation but the question is availing same and better benefits under that agreement arrived later with another union of the workman and management industry. Thus the principal will not apply.

26. Similarly the principal of estoppel will not apply. Estoppel is a rule of evidence on the plea that a man can be allowed to approve and reprobate at his convenience having admitted one settled position earlier. In the instant case what achievement workmen got in agreement Ext. W-1 with the federation they are not resiling from that stand or challenging it but contending alongwith the association raising the dispute with agreement arrived at with the congress which turns out to be more beneficial to the temporary persons getting permanent appointment on 8-5-79 hence all others who get lessor benefit under the 1691 GI|85—12

agreement tEx. W-1 from May 73 should also be given the same else that will create anomalies in matters of difference of pay, leave benefit etc. Thus estoppel will also not apply to the facts of the present case.

27. The question of demand also pales into insignificance as it was on the basis of negotiations which was nothing but demands with agreement Ext. W-3 under which benefits are being claimed under reference. The point of espouser should have been raised at the earliest opportunity before the ALC and not after considering the industrial dispute raised by union, government has referred the issue for adjudication.

28. Further the plea of espouser fails as presently all the unions are agitating against the management in this reference.

29. Annexure M-1 of the affidavit of Shri Umesh Saxena management witness are instances of implementation of the agreement Ext. W-1, the benefit under this agreement is a little less than the benefit under Ext. W-3 and W-2 (Agreement Ext. W-2 filed in the case of Shri Shanker Dhavan in CGIT New Delhi). Paper No. 21 filed by the association also gives details of the said agreement dt. 7-7-79 in letter of 30-7-79 written by management to the ALC, under the circumstances the management cannot resile that there was no independent agreement as ext. W-3.

30. It is common ground that there is no other case on the basis of agreement ext. W-3 except that of Shanker Dhavan in which agreement Ext. W-2 in similar terms as Ext. W-3 was arrived at though on the statements of the parties the award given was a no dispute award.

31. Paper ext. W-1 agreement arrived between management and federation on the basis of which permanent appointment was to be given by 6-5-78 and such confirmed employees were to earned their first increment after six months. In the agreement dt. 7-7-79 Ext. W-3, permanent appointment was to be given from 8-5-78 and at least one increment on that day which in other appropriate cases can extent to four advance increments dependent upon the period of temporary services rendered.

32. It is true if the said agreement is allowed to prevail it may affect the rights and benefits accrued to the workmen in permanent employment entitling other seniors to benefit under next below rule. The similar situation arose in Amalgamated Coffee Estates Limited and others Versus Their workmen and others 1965 I LLJ page 110 wherein

HELD

Payments were voluntarily and knowingly accepted by the workmen under one settlement or award which was not acceptable to other union on being found to be fair held to be bind all estates in the necessity of uniformity and industrial peace.

Settlement Ext. W-3 and W-1 are under section 18(i) of the act and is fair and binding unless set aside by any of the parties by serving a notice of two months. In Harberston Limited Vs. Workmen 1977 Lab IC page 162 wherein it was

HELD

When a recognised union negotiates with an employer the workers as individuals do not come into the picture, it is not necessary that each individual worker should know the implications of the settlement since a recognised union, which is expected to protect the legitimate interests of labour and this would be normal rule.

It was further observed thus

that the settlement are to be accepted or rejected as a whole and we are unable to reject it as whole as unfair or unjust.

In the instant case all three unions agreed that agreement dated 7-7-79 i.e. W-3 being more advantageous as regards past benefits and other benefits should be upheld.

33. In the case of M/s. Tata Engineering and Locomotive Company Limited and their workmen 1981 II LLJ page 429 wherein it was

HELD

Settlement can not be weighed in any Golden Scales and the question whether it is just and fair has to be answered on the basis of principles different from those which come into play when an industrial dispute is under adjudication. The onus of proof lies on one who alleges that agreement is brought about by fraud or coercion.

34. Here the management does not say so but says that agreement ext. W-2 related only to the case of Shri Shanker Dhavan, hence not applicable to the whole body of the workmen of the management. I do not agree. Agreement Ext. W-3 is quite separate from agreement ext. W-2 and is admittedly more advantageous than the agreement Ext. W-1 to its workmen.

35. It has been argued on behalf of the federation that an employer granting favour to one of the general union is an unfair labour practice but if that favours turns out to the disadvantageous to the management though these are to be blamed and advantageous which is fair and more beneficial can be availed of by entire class of workmen.

36. Association has argued that past benefits will not give any due advantage of seniority etc. for gratuity and other benefits as the notional increment on 8-5-78 were to be ignored for purposes of determination of length of service. Management has agreed to all other benefits under the two agreements ext. W-2 and W-3 namely leave medical facility etc.

37. Arguing for the Congress Shri Dhavan drawn my attention to the serial no. 10 of the 5th Schedule added to the industrial dispute act that breaks of continuing workmen temporary for years is unfair labour practice and also item no. 13 which dubs failure to the settlement or agreement as unfair labour practice. The management did not comply with the provisions of Sastri Award for its temporary workman as laid down in paras 495, 516 and 522 of the said award, however, the management has reconcile and came forward to regularise all temporary employees working over 240 days in one span of year or more.

38. The management being victim of its own fully rendered larger benefits under its agreement Ext. W-3 as compared to the agreement Ext. W-1. In view of AIR Madras 1947 page 427 in an industrial dispute all workmen working in an industry are taken to be a party. A settlement of 1978 and 1979 Ext. W-1 and W-2 are still valid and could binding and not cancelled the one more advantage to the workmen as whole unit should be prevail. I am supported with my contention by law laid down in Andhra Pradesh Diploma Engineers Association Versus Andhra Pradesh State Electricity Board Hyderabad 1985 Lab IC page 897 wherein it was

HELP

it was not competent for the board to issue proceedings in consistent with the agreement (second) since the arbitration of the second settlement ensures equality of treatment. Thus the court would be entitled to issue a writ directing the board to implement the undertaking given by it in the two settlement.

It was further held;

settlement is binding upon the management i.e. the Board it is beneficial to the workers. It would be impermissible and even impracticable for the board to implement it in the case of some workers and refuse in the case of other workers. It has to extend the benefit thereof to all workers.

39. In Manohar & Naiyar Versus State of Kerala 1983 Kerala High Court decided on 13th July 1982 wherein it was
HELD

Settlement made with the major union will bind all the workers of the establishment.....

40. In view of the circumstances discussed above, I hold that the action of the management of Hindustan Commercial Bank Limited Head Office Kanpur in reappointing temporary

workmen and regularising them without giving them benefit of their past services is not justified and that in view of the two agreement ext. W-1 and W-3, the benefits of past services as agreed in agreement Ext. W-3 being more beneficial to the workmen of that class should be given.

41. I, therefore, give my award accordingly in Industrial Dispute No. 123/1980.

42. As regards consolidated case ID No. 75/80 I give my award that the action of the management of Hindustan Commercial Bank Head Office Kanpur, in confirming Shri Ratt Chandra Mishra from June 76 without giving him his past benefit of his past services is justified as the agreement Ext. W-1 or Ext. W-3 of the consolidated case had not come into effect till then.

43. The result is that the workman Shri R. C. Mishta of ID No. 75/80, is not entitled to any benefit.

44. I, therefore, give my award accordingly.

45. Let six copies of this award be sent to the Government for its publication and further order that a copy of this award be kept on the record of Industrial Dispute no. 75/80.
Dt. 27-2-1986.

R. B. SRIVASTAVA, Presiding Officer.
[No. 12012/75/79-D.I(A)/D.IV(A)]
[No. 12012/71/80-D.I(A)/D.IV(A)]

K. J. DYVA PRASAD, Desk Officer

श्रम मंत्रालय

नई दिल्ली, 21 मार्च, 1986

प्रादेश

का. ग्रा. 1346.—(1) पंजीकृत कर्मकारों के लिए प्रशासनिक निकाय, मद्रास गोदी श्रमिक बोर्ड, राजाजी सलाय, मद्रास-600001 और (2) सूचीबद्ध गोदी श्रमिकों के लिए प्रशासनिक निकाय, मद्रास गोदी श्रमिक बोर्ड, राजाजी सलाय, मद्रास-600001 के प्रबंधतावं से संबद्ध नियोजकों और उनके कर्मकारों के बीच, जिनका प्रतिनिधित्व (i) मद्रास हार्बर वर्क्स यूनियन, "भगत हाउस" 204, प्रकासम सलाय, बाढ़वे, मद्रास-600108 और (ii) मद्रास पोर्ट एंड डाक वर्क्स कंप्रेस, 7 फिलिप्स स्ट्रीट, मद्रास-600001 करती है, एक औद्योगिक विवाद विद्यमान है;

और उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के उपबंधों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को माध्यस्थम के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थम करार की एक प्रति केन्द्रीय सरकार को भेजी गई है;

अतः, अब उक्त अधिनियम की धारा 10क की उपधारा (3) के उपबंधों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थम करार को एवंद्वारा प्रकाशित करती है।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन)

पक्षकारों के नाम

नियोजकों/प्रशासनिक निकाय (1) श्री ए. कमलासेकरन, पंजीकृत श्रमिकों के लिए प्रशासनिक निकाय, मद्रास गोदी श्रमिक बोर्ड।

का प्रतिनिधित्व करने

वाले

(2) श्री वी. आर. राजा-
मनी सूचीबद्ध गोदी श्रमिकों के लिए प्रशासनिक निकाय, मद्रास गोदी श्रमिक बोर्ड ।

कर्मकारों/कर्मकार का प्रति-
निधित्व करने वाले

1. मद्रास हार्बर वर्कर्स यूनियन, “भगत हाऊस” 204, प्रकासम सलाय, ब्राउडवे, मद्रास-600108
2. मद्रास पोर्ट एंड डाक वर्कर्स कॉर्प्रेस, 7 फिलिप्स स्ट्रीट, मद्रास-600001

पक्षकारों के बीच निम्ननिखित औद्योगिक विवाद को श्री ई. एम. शंकरन, आई. ए. एस. (सेवानिवृत्त), सी-II/77, बापा नगर, नई दिल्ली-3 के माध्यस्थम के लिए निर्देशित करने का करार किया गया है ।

(1) विनिर्दिष्ट विवाद ग्रस्त विषय:—

यथा मद्रास गोदी श्रमिक बोर्ड के टैली क्लर्क, जिन्हें 1-10-1984 से उन्होंने में उजरनी दर का गात्र कर दिया गया है जैसा कि हुक गेंग श्रमिकों जिनके साथ वे कार्य करते हैं पर लागू होता है, इसे 1-5-83 से पूर्वप्रभाव से पाने के हकदार हैं, यदि हाँ, तो वे किस अनुतोष के हकदार हैं, यदि कोई है, और यदि इसकी गणना की जा सकती है तो इस अनुतोष की रूपयों में गणना करें।

(2) विवादों के पक्षकारों का विवरण, जिसमें अंतर्भुत स्थापन या उपक्रम का नाम और पता भी सम्मिलित है।

(क) पंजीकृत श्रमिकों के लिए प्रशासनिक निकाय, मद्रास गोदी श्रमिक बोर्ड, राजाजी सलाय, मद्रास-1

(ख) सूचीबद्ध श्रमिकों के लिए प्रशासनिक निकाय मद्रास गोदी श्रमिक बोर्ड, राजाजी सलाय, मद्रास-1

(ग) मद्रास हार्बर वर्कर्स यूनियन, “भगत हाऊस” 204, प्रकासम सलाय, ब्राउडवे, मद्रास-108

(घ) मद्रास, पोर्ट एंड डाक वर्कर्स कॉर्प्रेस, फिलिप्स स्ट्रीट, मद्रास-1

(3) कर्मकार का नाम यदि वह स्वयं दिनाद में अंतर्गत है या यदि कोई संघ प्रश्नगत कर्मकारों का प्रतिनिधित्व करता हो, तो उसका नाम

(क) मद्रास हार्बर वर्कर्स यूनियन, “भगत हाऊस” 204, प्रकासम सलाय, ब्राउडवे, मद्रास-108

(ख) मद्रास पोर्ट एंड डाक वर्कर्स कॉर्प्रेस, 7, फिलिप्स स्ट्रीट, मद्रास-1

(4) प्रभावित उपक्रम में नियोजित कर्मकारों की कुल संख्या:

(5) विवाद द्वारा प्रभावित या सम्भाव्य होने वाले कर्मकारों की प्राक्कलित संख्या

हम यह करार भी करते हैं कि मध्यस्थ का विनियन हम पर आबद्धकर होगा। सध्यस्थ अपना पंचाट तीन मास को कालावधि या इन्हें और समय के भीतर जो हमारे बीच पारस्परिक निखित करार द्वारा बढ़ाया जायेगा। यदि पूर्व वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थम के लिए निदेश स्वतः रह हो जायेगा और हम नए माध्यस्थम के लिए बातचीत करने को स्वतंत्र होंगे।

माध्यस्थम पर होने वाले व्यय को आपस में बांटने का भी हम करार करते हैं।

पक्षकारों के हस्ताक्षर

ह/-

ह/-

(ए. कमलासेकरन)

(एम. कल्याणसुन्दरम)

नियोजकों/पंजीकृत श्रमिकों जनरल सेक्रेटरी, मद्रास हार्बर के लिए प्रशासनिक निकाय, वर्कर्स यूनियन, मद्रास-108 गोदी श्रमिक बोर्ड का प्रतिनिधित्व करने वाले

ह/-

ह/-

(वी. आर. राजामनी)

(जी. कलन)

नियोजकों/सूचीबद्ध गोदी श्रमिकों के लिए प्रशासनिक निकाय, डाक वर्कर्स कॉर्प्रेस, मद्रास-1 मद्रास गोदी श्रमिक बोर्ड का प्रतिनिधित्व करने वाले। तारीख, मद्रास

साक्षी : 1. ह.-(एन. सेल्वेराज) असिस्टेन्ट सेकेटरी, इन्टक।
2. ह.-(के. राधावेलु) वाईम प्रेजीडेन्ट, एम. एस. डब्ल्यू. यू.।

मध्यस्थ की सम्मति

मद्रास गोदी श्रमिक बोर्ड की ओर से आपके दिनांक 28-5-1985 के पत्र संख्या 159/81/ए-3 के लिए बहुत धन्यवाद।

मद्रास गोदी श्रमिक बोर्ड,
राजाजी सलाय,
मद्रास-600001

गोदी अधिक यांडे और संबंधित वृत्तियों के बीच विवादान
विवाद के द्वारा में नष्टस्थित करने में मुश्ख चुशी होगी।

ह./-

नदी फ़िल्म्स

तारिख 4-6-85

(टी. पू. एफ़िल्म्स)

सं-11/77, बापा नगर,

पर्स फ़िल्म्स-3

[र. ए. -33013/1/85-टी.-4(ए.)]

के. जे. व्हाइट, डेस्क अधिकारी

New Delhi, the 21st March, 1986

ORDER

S.O. 1346.—Whereas an industrial dispute exists between the employers in relation to the (1) Administrative Body for Registered Workers, Madras Dock Labour Board, Rajaji Salai, Madras-600001 and (2) Administrative Body for Listed Dock Workers, Madras Dock Labour Board, Rajaji Salai, Madras-600001 and their workmen represented by (i) Madras Harbour Workers' Union, 'Bhagat House' 204, Prakasam Salai, Broadway, Madras-600108 and (ii) Madras Port & Dock Workers Congress, 7, Phillips Street, Madras-600001;

And whereas, the said employers and their workmen have by written agreement under sub-section (i) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration and have forwarded to the Central Government a copy of the said arbitration agreement;

Now, therefore, in pursuance of sub-section (3) of Section 10A of the said Act, the Central Government hereby publishes the said Agreement.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Name of the parties :
Representing employers/
Administrative Body.

(1) Shri A. Kamalasekaran,
Administrative Body for
Registered Workers, Madras
Dock Labour Board.

(2) Shri V. R. Rajamani,
Administrative Body for
Listed Dock Workers, Madras
Dock Labour Board.

Representing Workmen/
Workman

(1) Madras Harbour Workers'
Union, 'Bhagat House' 204,
Prakasam Salai, Madras-600108.

(2) Madras Port & Dock Workers
Congress, 7, Phillips Street,
Madras-600001.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri T. S. Sankaran, IAS (Retd.) C II/77, Bapa Nagar, New Delhi.

(i) Specific matters in dispute :

Whether the Tally Clerks of the Madras Dock Labour Board who have been made eligible for a tonnage piece rate with effect from 1-10-1984, as applicable to the hook gang workers with whom they work, are entitled to the same with retrospective effect from 1-5-1983; if so, to what relief if any are they entitled and to compute the relief in terms of money, if it could be so computed.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved :

(a) The Administrative Body for Registered Workers, Madras Dock Labour Board, Rajaji Salai, Madras-1.

(b) The Administrative Body for Listed Dock Workers, Madras Dock Labour Board, Rajaji Salai, Madras-1

(c) Madras Harbour Workers Union, 'Bhagat House', 204, Prakasam Salai, Broadway, Madras-108.

(d) Madras Port & Dock Workers' Congress, 7, Phillips Street, Madras-1.

Madras Desk Labour Board,
Rajaji Salai, Madras-600001.

(iii) Name of the workman in case he himself is involved in the dispute or the name of the Union, if any, representing the workmen or workman in question :

(a) Madras Harbour Workers' Union, 'Bhagat House', 204, Prakasam Salai, Broadway, Madras-108.

(b) Madras Port & Dock Workers' Congress, 7, Phillips Street, Madras-1.

(iv) Total number of workmen employed in the undertaking affected : 261

(v) Estimated number of workmen affected or likely to be affected by the dispute : 261

We further agree that the decision of the Arbitrator be binding on us. He shall make his award within a period of three months or within such period as is extended by mutual agreement between us in writing. In case, the award is not made within the period to be mentioned, the reference to Arbitration Cell stands automatically cancelled and we shall be free to negotiate for fresh arbitration.

We further agree to share the expenditure towards arbitration.

Signature of the parties

Sd/-

(A. Kamalasekaran)
Representing employers/
Administrative Body for
Registered Workers, Madras,
Dock Labour Board

Sd/-

(V. R. Rajamani)
Representing employers/
Administrative Body for
Listed Dock Workers, Madras
Dock Labour Board

Sd/-

(M. Kalyanasundaram)
General Secretary (Madras
Harbour Workers Union,
Madras-108.

Sd/-

(G. Kalan)
General Secretary, Madras
Port & Dock Workers' Congress,
Madras-1.
Dated, Madras
The

Witnesses :—1. Sd/-

(N. Selverai)
Asstt. Secretary, INTUC
2. Sd/-

(K. Raghavelu)
Vice President, MHWU

CONSENT OF THE ARBITRATOR

Thank you very much for your letter No. 159/81-A3 dated 28-5-1985 of the Madras Dock Labour Board.

I will be glad to take up the arbitration of the dispute between the Dock Labour Board and the concerned unions.

New Delhi

Dated 4-6-1985.

Sd/-

(T. S. SANKARAN)
CII/77, Bapa Nagar,
New Delhi-3.

[No. L-33013/1/85-D.IV(A)]
K. J. DYVA PRASAD, Desk Officer